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Contributions of Hungarian CSOs to the European Commission's Rule of Law Report

The contributions included in the present document on the rule of law in Hungary were submitted to the European Commission in the framework of the targeted stakeholder consultation the European Commission launched in relation to its 2026 Annual Rule of Law Report. The document follows the structure and applies the headings and questions of the European Commission's [stakeholder consultation survey](#).

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The contributing organisations submitted their contributions separately, therefore, some individual submissions may at certain points diverge from this compilation.

The above civil society organisations bear responsibility solely for the content of those chapters where they are indicated as authors.

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I. JUSTICE SYSTEM

1. Information on measures taken to follow-up on the recommendations received in the 2025 Rule of Law Report regarding the justice system

Until the cut-off date of the present contribution (16 January 2026) no steps have been taken by the Hungarian government and the Parliament to systemically address the recommendations formulated by the European Commission with respect to the independence of the judiciary in the 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary (hereafter: 2025 Rule of Law Report).¹

In June 2025, the Parliament adopted Act XLIX of 2025 on the Amendment of Justice-related Laws, an omnibus law affecting 28 Acts of Parliament and implementing significant changes to the justice system. However, none of the amendments included legislative measures aimed at improving the transparency of case allocation systems in lower instance courts in line with the European case allocation standards or tackled the systemic deficiencies related to judicial remunerations.

As from 1 January 2025, the system of remunerations at the Kúria (the supreme court of Hungary) was remarkably changed. The remuneration of Kúria judges became linked to the remuneration of the Kúria President, securing a disproportionately high salary to Kúria judges, severing the Kúria from all other courts with respect to judicial remunerations. According to the Hungarian Association of Judges (MABIE), *“a difference of this magnitude eliminates the proportionality within the judiciary, which disrupts society’s trust in the court system, and creates enormous internal tensions”*.²

Apart from this distortion of the system of judicial remunerations, the core method of establishing judicial remunerations remains the same.

Although there was a one-off 15% increase of the judicial salary base in December 2024 and Hungary’s 2026 central budget has brought a further increase of the salary base for judges,³ the overall increase compared to 2022 still falls behind the inflation since 2022 and the rate of increase recommended by professional organisations. Furthermore, no structural measures

¹ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf

² Hungarian Association of Judges, A MABIE közleménye a bírói fizetések arányosságának biztosításáról [MABIE’s statement on ensuring the proportionality of judges’ salaries], 20 May 2025, <https://www.mabie.hu/berjavaslat/a-mabie-kozlemenye-a-biroi-fizetesek-aranyossaganak-biztositasarol>

³ Act LXIX of 2025 on the Central Budget of Hungary for 2026, Article 67. The text envisages a 10% increase from HUF 651,660 (€ 1,715) to HUF 716,830 (€ 1,886).

have been taken to safeguard the increase of the remuneration of judges, prosecutors, and judicial and prosecutorial staff in line with European standards on remuneration for the justice system as recommended by the 2025 Rule of Law Report: judges and prosecutors remain to be “at the mercy” of the other branches of power when it comes to their salaries, creating a rift in the system of checks and balances.

A. Independence

2. Appointment and selection of judges, prosecutors and court presidents

In December 2024, the Parliament adopted the 14th Amendment to the Fundamental Law and Act LXXIV of 2024 on the Foundation for Hungary’s 2025 Central Budget, which amended several cardinal laws governing the appointment and selection of judges. These changes were adopted through a deficient law-making process and without meaningful consultation with the judiciary.⁴

Three major modifications were introduced. (i) The lower age limit for becoming a judge was raised from 30 to 35 years from 1 March 2025.⁵ (ii) The upper age limit of judicial service was modified. Instead of the general statutory retirement age of 65, in cases defined by a cardinal law, a judge’s service relationship may continue until the judge reaches the age of 70.⁶ (iii) The practice requirements for judicial appointments were significantly modified, to the disadvantage of candidates applying from within the judiciary.⁷ Under the new rules applicable from 1 March 2025, candidates must have at least two years of legal practice gained outside the judiciary and at least one year of practice gained in one of several specified legal positions (e.g. as judicial clerk, attorney-at-law, notary public, government official, civil servant). This doubled practice-requirement gives preference to candidates who acquire professional experience outside the courts, as they may become eligible without any prior judicial experience, whereas candidates whose professional career has been exclusively within the judiciary are ineligible unless they obtain an additional two years of external practice. This constitutes discrimination vis-à-vis those who start their careers at courts.⁸ According to practitioners, this system is likely to negatively impact the pool of candidates for judicial positions, as the criteria will orient even those graduates who want to become judges towards other legal positions, where – by the time they reach the age of 35 – they may establish a career and reach a salary level in the light of which starting a brand new career within the judiciary may amount to a significant financial step-back.

⁴ The modifications appeared in the law-making process as a last-minute amendment proposal of the Legislative Committee on 12 December 2024 (a Thursday) at the end of the day and were adopted on 17 December 2024 (the next Tuesday). See the bills’ data pages on the Parliament’s website: [T/9997](#) and [T/10012](#).

⁵ 14th Amendment to the Fundamental Law, Articles 2–3; Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 4(1)

⁶ 14th Amendment to the Fundamental Law, Article 4

⁷ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Articles 4(1) and 232/Y. The new rules will not be applicable to already appointed judges, and judge trainees (“*bíróági fogalmazó*”) and court clerks (“*bíróági titkár*”) who were employed at a court in such a position before 1 January 2024.

⁸ Several individual judges who protested against the planned modification described clearly why this is a problem, see for example the statement of a judge from the Buda Central District Court: <https://mabie.hu/images/LEVELEK%202024/1202/Sarretine%20Szilagyi%20Monika%20-%20Budai%20Kozponti%20Keruleti%20Birosag.docx.pdf>.

On 11 June 2025, the Parliament adopted Act XLIX of 2025 on the Amendment of Justice-related Laws, implementing a broad judicial reform affecting 28 laws, including the provisions regulating how a judge can continue to serve after the general retirement age.⁹ As in December 2024, the reform was again not preceded by meaningful professional or public consultation.

In the professional consultation round, the 75-page draft (124 pages including the reasoning) was sent to the National Judicial Council (NJC) for commenting on 4 April 2025 (a Friday) just before the end of office hours with a deadline of just seven days. Although upon request the Ministry of Justice allowed a last-minute prolongation of the deadline, the body could only draft its comments in an irregular e-mail-based procedure. As the Ministry's disregard for the fact that as a collective entity the NJC needs more time to formulate its stance in accordance with its statutes made their right to be consulted¹⁰ illusory, the body submitted a complaint to the Constitutional Court, arguing that this had been a de facto violation of their right to be consulted. The Constitutional Court rejected the complaint¹¹ claiming that since the NJC had actually prepared comments, the provisions on the NJC's right to be consulted had not been breached. The instance illustrates how provisions of the 2023 judicial reform that look on paper to comply with conditions to access EU funds fail to effectively provide the envisaged result in practice.¹²

The Ministry of Justice published the draft bill on Maundy Thursday (17 April 2025), immediately before a four-day holiday, and provided the statutory minimum of eight days for public consultation, which in practice meant only four working days.¹³ The law was therefore adopted in disregard of judicial opinions and without any substantive societal dialogue.

In addition to the above, long-standing concerns regarding the appointment of judges and court presidents remain unresolved, as already highlighted in our previous 2020,¹⁴ 2021,¹⁵ 2022,¹⁶ 2023,¹⁷ and 2024 contributions.¹⁸ Most notably, the legislation still fails to regulate the handling of multiple simultaneous applications for judicial posts and the order in which such

⁹ See the joint assessment by Amnesty International Hungary and the Hungarian Helsinki Committee of 23 July 2025 on Act XLIX of 2025 on the Amendment of Justice-related Laws, available at: https://helsinki.hu/wp-content/uploads/2025/07/20250723-igazsagugyi-salatatorveny-velemenyezes_AI-HU_HHC.pdf.

¹⁰ A right granted by Article 103(1)b of Act CLXI of 2011 on the Organisation and Administration of the Courts.

¹¹ Decision 8/2025. (IX. 25.) AB of the Constitutional Court

¹² For more details, see: Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary's compliance with conditions to access European Union funds*, November 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/12/HU_EU_funds_assessment_2025.pdf, in particular pp. 2–3. for an overview of the various conditions and milestones and pp. 45–57. on the judiciary.

¹³ The public consultation site showing the date of publishing and the deadline for commenting on the draft law is available at: <https://kormany.hu/dokumentumtar/az-igazsagugyi-targyu-torvenyek-modositasarol-szolo-torvenytervezet>.

¹⁴ *Contributions of Hungarian NGOs to the European Commission's Rule of Law Report*, May 2020, https://www.helsinki.hu/wp-content/uploads/HUN_NGO_contribution_EC_RoL_Report_2020.pdf, pp. 4–5.

¹⁵ *Contributions of Hungarian NGOs to the European Commission's Rule of Law Report*, March 2021, https://helsinki.hu/wp-content/uploads/2021/03/HUN_NGO_contribution_EC_RoL_Report_2021.pdf, pp. 3–4.

¹⁶ *Contributions of Hungarian NGOs to the European Commission's Rule of Law Report*, January 2022, https://helsinki.hu/en/wp-content/uploads/sites/2/2022/01/HUN_NGO_contribution_EC_RoL_Report_2022.pdf, pp. 3–4.

¹⁷ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/01/HUN_CSO_contribution_EC_RoL_Report_2023.pdf, pp. 3–6.

¹⁸ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/01/HUN_CSO_contribution_EC_RoL_Report_2024.pdf, pp. 3–6.

applications are decided. This loophole allows the arbitrary sequencing of decisions, enabling the circumvention of the NJC's right of consent and undermining the merit-based appointment system in a non-transparent manner.¹⁹ Furthermore, the obligation of the Kúria President and the President of the National Office for the Judiciary (NOJ President) to provide reasons for their administrative decisions remains only partial, falling short of the requirements of transparency and effective judicial review.²⁰

On changes regarding the election of the Prosecutor General, see Question I.8. On the appointment of Constitutional Court justices, see Question IV.6.

3. Irremovability of judges, including transfers, dismissal and retirement regime of judges, court presidents and prosecutors

The legislation on transfers still lacks fundamental guarantees for the irremovability of judges in certain areas.

For secondments,²¹ the law only requires the NJC's consent to secondments or their prolongation, but not their termination, which may be done unilaterally, with immediate effect, by a resolution of the NOJ President. As this decision does not require the NJC's agreement, there is no obligation to give reasons for the termination of secondments, thus this measure is especially prone to being used for exerting pressure on judges without the NJC's possibility to exercise any meaningful control over it.

The legislation still lacks objective criteria regarding when the legal conditions of a secondment are met,²² for the designation of the receiving court, for the selection of the seconded judge or for determining the term of the secondment. This is particularly problematic when the aim of secondment is to facilitate the professional advancement of a judge, as this type of secondment may either serve as a form of award or a means of exerting pressure. The lack of objective criteria hinders the NJC in exercising its constitutional role of overseeing judicial administration from the point of view of judicial independence.

In case of judges seconded to higher instances, the legislation does not clearly provide for adequate remuneration, which is a breach of the principle of equal pay for equal work.²³ This enables court administrations to save money on seconded judges and therefore may function as an incentive to solve workload problems through secondment instead of creating additional

¹⁹ See the minutes of the 6–7 September 2023 meeting of the NJC, <https://obt2018.hu/2023-09-06>, p. 63.

²⁰ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 77(2)

²¹ Secondment (*"kirendelés"*) is a measure of court administration that entails the transfer of the judge concerned from one court to another. According to Article 31(1) of Act CLXII of 2011 on the Legal Status and Remuneration of Judges: *"A judge may be seconded by the president of the regional court, if the secondment takes place between a regional court and a district court or between district courts operating within the territory of the same regional court. In all other cases the NOJ President shall be entitled to second a judge."*

²² According to Article 31(2) of Act CLXII of 2011 on the Legal Status and Remuneration of Judges, judges may only be seconded for two reasons: (i) to reduce excessive workload at the receiving court or (ii) to facilitate their professional advancement, but the legislation does not provide for any objective criteria for assessing whether the legal grounds of secondment are in place. See: Hungarian Helsinki Committee, *Background Paper on Systemic Deficiencies of the Legal Framework and Practice of the Secondment of Judges in Hungary*, 6 September 2022, <https://helsinki.hu/wp-content/uploads/2022/09/Background-Paper-on-the-Secondment-of-Judges-in-Hungary-updated-06092022.pdf>, Section III.

²³ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 173(2). Also see e.g.: <https://24.hu/belfold/2024/09/04/birosag-kirendeles-panasz-obh-illetmeny/>.

positions or issuing calls for applications regarding vacant judicial positions. In April 2025, there were 84 seconded judges who had not received the difference in the salary supplement pertaining to their original and seconded positions for more than one year.²⁴

In January 2025, the NOJ President submitted a proposal for a legislative amendment to address the problem – to no avail.²⁵ In September 2025, an opposition Member of Parliament (MP) submitted a bill to resolve the problem,²⁶ but the governmental majority in the Parliament’s Justice Committee voted down the proposition.²⁷

At the same time, the Debrecen Regional Court handed down a first instance judgment in September 2025, obliging a regional court to pay to a judge seconded for over 6 years the difference between his salary as a district court judge and the salary that he would have been entitled to as a regional court judge. The court concluded that while the law on the legal status and remuneration of judges did not expressly prescribe that judges seconded to higher instances must be paid the same salary supplement as judges permanently assigned to that instance, such an interpretation was not excluded, and in light of the pertaining EU *acquis* and Hungarian legislation, this was the interpretation to be applied to the remuneration of judges seconded to higher tier courts.²⁸

Another important court decision on the irremovability of judges concerned the case of Kúria judge András Kovács.²⁹ After Judge Kovács’s panel handed down judgments unfavourable to the Government in politically sensitive cases, the panel was dissolved through an amendment of the Kúria’s case allocation scheme as of 1 January 2024. When Judge Kovács sought to publish an academic study on the process, the Kúria President banned the publication and initiated multiple proceedings against him, including an extraordinary suitability assessment procedure, at the end of which in November 2024 Judge Kovács’s leadership authorisations stemming from his position of head of panel were suspended for a period of two years, depriving him of his right to organise the operation of his panel, and presiding over individual cases. The justification was that Judge Kovács had been critical of the Kúria’s case allocation system and he had voiced this criticism outside the Kúria.

Judge Kovács challenged the measure. In its judgment of 17 March 2025,³⁰ the Metropolitan Regional Court concluded that the Kúria President’s measure was null and void, because it “*de facto removed [Judge Kovács] from his judicial leadership position*” without any legal basis. The Metropolitan Regional Court of Appeal upheld the decision on 17 June 2025, emphasising that since Heads of Panel also perform adjudicative tasks, the principles of judicial independence, including the irremovability of judges, also pertain to them. Therefore, the Kúria President’s action was not only unlawful, but it also violated judicial independence. The Kúria President

²⁴ See e.g.: <https://24.hu/belfold/2025/04/24/obh-im-kirendeles-biroi-illetmeny/>.

²⁵ See e.g.: <https://www.szabadeuropa.hu/a/a-biroi-kirendelesek-a-birosagi-ugyterheles-a-biroi-fuggetlenseg/33544160.html>.

²⁶ Bill T/12651, available at: <https://www.parlament.hu/irom42/12651/12651.pdf>.

²⁷ Minutes of the session of the Parliament’s Justice Committee held on 7 October 2025, available at: <https://www.parlament.hu/documents/static/biz42/bizjv42/IUB/2510071.pdf>, pp. 38–39.

²⁸ See e.g.: <https://24.hu/belfold/2025/12/11/biroi-kirendeles-igazsagszolgalatas-milliokra-perel-biro-sajat-birosagat>.

²⁹ See e.g.: 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/>.

³⁰ Decision no. 20.M.71.080/2024/13 of 17 March 2025

filed a request for extraordinary review, but he withdrew it on 18 November 2025. Judge Kovács was reinstated as an acting head of panel.³¹

The concerns of our 2025 contribution³² in relation to the assignment³³ and transfer³⁴ of judges, the reinstatement of unlawfully dismissed court leaders³⁵ and the legislation allowing the transfer of certain individuals from outside the judiciary³⁶ still pertain.

4. Promotion of judges and prosecutors

No improvement has taken place in this regard since our 2025 contribution. As a main rule, judicial promotions and leadership positions shall be granted in the framework of an ordinary application procedure,³⁷ but the legislation allows for a wide range of exceptions.³⁸ Decisions on promotions without an application procedure lie in their entirety in the hands of administrative leaders at the courts, who may also have full discretion to grant judicial leadership positions, which eliminates the guarantees attached to a transparent application procedure.³⁹ No judicial remedy is available against appointments made without an appointment procedure.

Even the outcome of a standard application procedure can be manipulated by court leaders through several means. Applications for judicial leadership positions (such as the position of head of panel or deputy-college leadership positions)⁴⁰ are assessed by the president of the relevant court in a fully discretionary manner. Judge peers hold the right to form a non-binding

³¹ For a detailed description of the case, see: Hungarian Helsinki Committee, *Attempts to silence judicial dissent in Hungary: the cases of Judge András Kovács and X, a senior scientific advisor at the Kúria*, 22 October 2025, <https://helsinki.hu/en/wp-content/uploads/sites/2/2025/10/Attempts-to-silence-judicial-dissent-in-Hungary.pdf>.

³² *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HUN_CSO_contribution_EC_RoL_Report_2025.pdf, pp. 6–9.

³³ According to Article 30 of Act CLXII of 2011 on the Legal Status and Remuneration of Judges, judges dealing with specific cases – such as administrative and labour law cases or criminal cases initiated against young offenders – shall explicitly be assigned for this task within the ordinary court system. Assignments have a substantial impact both on the status of individual judges and on the adjudication of specific types of cases concerned. On one hand, the assignment affects the status of the assigned judge as it determines their areas of work, expertise and the types of cases they shall deal with. On the other hand, the assignment may affect the adjudication of the specific cases that shall be dealt with by assigned judges.

³⁴ The NOJ President is entitled to transfer judges (i) to the NOJ (which does not form part of the judiciary), to work for the judicial administration [Article 27(2) of Act CLXII of 2011 on the Legal Status and Remuneration of Judges]; (ii) to the Kúria to prepare unification decisions and fulfil tasks regarding the analysis of the law [Articles 27(2) and 63 of Act CLXII of 2011 on the Legal Status and Remuneration of Judges] and (iii) to other state organs [Article 27/A of Act CLXII of 2011 on the Legal Status and Remuneration of Judges]. In case of all types of transfers, the consent of the judge to be transferred is a precondition to the transfer. Transferred judges cannot be involved in adjudication. The legislation does not provide for a minimum term of the transfer, it may also be ordered for an indefinite period, thereby creating a permanent new status for the judge.

³⁵ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 145(4)

³⁶ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Articles 8(3) and 23(3)

³⁷ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 7(1)

³⁸ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 8(1)

³⁹ For example, the position of head of panel can be granted even for an indefinite period based on full discretion by the NOJ President under Articles 8(4), 23(3) and 58(3) of Act CLXII of 2011 on the Legal Status and Remuneration of Judges.

⁴⁰ According to Article 128(4)–(5) of Act CLXI of 2011 on the Organisation and Administration of the Courts the president of the regional court of appeal is entitled to appoint deputy-college leaders and heads of panel at the regional court of appeal, while the president of the regional court is entitled to appoint deputy-college leaders and heads of panel at the regional court as well as the president, the vice-president, the group leaders and deputy group leaders of the district courts falling within the territorial scope of jurisdiction of the regional court.

opinion⁴¹ on the candidates by secret ballots. Although the opinion is non-binding, court presidents should consider it when assessing the candidates. Despite the above, due to the lack of guarantees, court presidents may appoint judicial leaders even against the manifest opposition of judicial peers.

Besides formal appointments, the legislation provides for a variety of informal means to promote a judge. Informal appointments include (i) the possibility to assign administrative tasks to a judge (or terminate such assignment)⁴² and (ii) in the case of the Kúria, the possibility to assign special judicial positions via the case allocation scheme of the Kúria.⁴³

One relatively new development in the area is that the vice-presidents of the Kúria perform the duties of college leaders on a permanent basis. This possibility was introduced by the 2019 amendment to the Act CLXI of 2011 on the Organisation and Administration of the Courts, and has been in effect since January 1, 2020.⁴⁴ Although the law does not expressly stipulate this, in our view, this solution should only be temporary, as the duties of the vice-presidents and college leaders are fundamentally different, and situations may arise where these duties conflict with each other. The college leader manages the professional work of judges adjudicating cases in the same field, while the vice-president holds an administrative position, which necessarily results in different considerations being dominant in their work. For example, if the president of the court were to try to solve a sudden shortage of judges by transferring a judge dealing with criminal cases to the civil college, the college leader, as the person in charge of professional work, would probably object, while the vice-president, as the administrative head, might approach the issue from the point of view of the distribution of available resources.

This is particularly true because while the Kúria President is bound by the opinion of the college when appointing college leaders,⁴⁵ this is not the case when appointing vice-presidents (in the latter case the college's opinion is non-binding), meaning that if professional considerations conflict with administrative ones, the college leader is more likely to take into account the opinion of the college members than the vice-president.

The rule that the Kúria President cannot appoint the college leader without the college's consent was included in Act CLXI of 2011 on the Organisation and Administration of the Courts in the framework of the 2023 judicial reform precisely in order to protect judicial independence and to comply with the requirements of the European Commission. If a vice-president appointed without the "veto right" of the colleges performs the duties of the college leader on a permanent basis, then this guarantee is not effectively enforced. In fact, the current situation circumvents the rule that the European Union has set as a condition for the release of EU funds in order to ensure judicial independence.

⁴¹ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 131

⁴² According to Article 29(1) of Act CLXII of 2011 on the Legal Status and Remuneration of Judges, *"the employer may assign the judge, with their written consent, with the performance of administrative tasks for a fixed or indefinite term, exclusively or partly"*.

⁴³ For example, the membership in the panel that reviews the regulations of municipalities.

⁴⁴ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 123(4)

⁴⁵ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 132(4a)

5. Allocation of cases in courts

In 2025, Hungary did not take any steps to address the deficiencies of the Hungarian courts' case-allocation system, therefore the concerns raised in our 2025 contribution⁴⁶ remain relevant.

(1) As regards case allocation at the Kúria, the problem of lack of transparency persists despite the related EU condition to access funds.⁴⁷ Although the situation improved after the 2023 judicial reform,⁴⁸ the 2024 and 2025 monitoring of the log files⁴⁹ published on the Kúria's website indicated that the allocation of cases at the Kúria continues to raise questions. In particular, highlighted concerns in our 2025 contribution⁵⁰ about the difficulty of monitoring the Kúria's case allocation practice, vaguely defined grounds for deviation from general rules and unavailability of background information necessary for effective monitoring still hinder the transparency and objectivity of the court's case allocation practice.

Kúria chambers are established in a manner that does not comply with the EU milestone⁵¹ which envisages an algorithm-based case-allocation scheme prescribed in advance. While benches hearing the cases are – as a main rule – composed of five judges (three judges and two heads of chambers taking turns performing the tasks of the head of chamber in newly arriving cases), there are a number of chambers that are composed of more than three judges and/or contain more than two heads of chambers (three heads of chamber and two judges;⁵² one head of chamber and four judges;⁵³ two heads of chamber and four judges;⁵⁴ three heads of chamber and three judges;⁵⁵ three heads of chamber and four judges;⁵⁶ two heads of chamber and four judges⁵⁷). For such situations the case allocation scheme⁵⁸ prescribes the

⁴⁶ Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, pp. 11–12.

⁴⁷ In the wording of the respective milestone under Hungary's Recovery and Resilience Plan (corresponding to measures required to comply with the horizontal enabling condition "Effective application and implementation of the Charter of Fundamental Rights" under the Common Provisions Regulation), "*the parties to proceedings be able to verify on the basis of the case file whether the rules on case allocation have been duly applied*" and "*cases be allocated to chambers following pre-established, objective criteria*". Council of the European Union, Annex to the Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Hungary, 1 December 2022, <https://data.consilium.europa.eu/doc/document/ST-15447-2022-ADD-1/en/pdf>, p. 133.

⁴⁸ Amnesty International Hungary – Eötvös Károly Institute – Hungarian Helsinki Committee, Assessment of Act X of 2023 on the Amendment of Certain Laws on Justice related to the Hungarian Recovery and Resilience Plan, May 2023, <https://www.amnesty.hu/joint-assessment-of-hungarys-judicial-reforms/>

⁴⁹ For each week and for each department, the Kúria publishes the list of cases and their respective allocated chambers on its website in online log files: <https://kuria-birosag.hu/hu/kuria-ugyelosztasi-rendszere>.

⁵⁰ Contributions of Hungarian CSOs to the European Commission's Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, pp. 11–12.

⁵¹ In the wording of Milestone 214, the case allocation scheme of the Kúria shall ensure that "*the bench hearing the case be composed following an algorithm prescribed in advance*". Council of the European Union, Annex to the Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Hungary, <https://data.consilium.europa.eu/doc/document/ST-15447-2022-ADD-1/en/pdf>, p. 133.

⁵² Administrative Chamber K.III.

⁵³ Administrative Chamber K.IV.

⁵⁴ Civic Chamber P.IV. and Civic Chamber P.V.

⁵⁵ Administrative Chamber KVII.

⁵⁶ Criminal Chamber B.I.

⁵⁷ Criminal Chamber B.II. and Criminal B.III.

⁵⁸ Kúria, A Kúria 2026. január 1. napjától hatályos ügyelosztási rendje [The Kúria's case allocation scheme in force since 1 January 2026], <https://kuria->

following: “[i]n this case, the assignment of the head of panel [i.e. which head of panel will perform the tasks of the head of panel in the given case] and the actual composition of the bench hearing the case will be determined by the subject matter of the case, the field of expertise of the heads of panel, with an additional view to the administrative managerial tasks of the head of panel”. As of January 2026, the rule applies to two out of the seven chambers adjudicating administrative (including electoral⁵⁹) cases. How the subject matter of the case, the expertise of the heads of panel or their administrative managerial tasks influence the composition of the benches is not specified.

(2) With respect to the case allocation system of lower tier courts, no progress has been made. Although the 2023,⁶⁰ the 2024⁶¹ and the 2025⁶² Rule of Law Reports recommended improving the transparency of their case allocation systems, all concerns raised in our 2023,⁶³ 2024⁶⁴ and 2025⁶⁵ contributions remain relevant and are yet to be addressed. The special concerns regarding appeal courts – included in our 2024 contribution⁶⁶ – also still apply.

(3) The Constitutional Court still does not have a case-allocation scheme at all. Since there has been no improvement in this regard, concerns included in our previous contributions continue to apply.⁶⁷

6. Independence and powers of the body tasked with safeguarding the independence of the judiciary

Over the past period, both the composition and the legal status of the NJC have remarkably changed. With effect from 1 June 2023⁶⁸ legislative modifications strengthened the powers

birosag.hu/sites/default/files/szabalyzatok/a_kuria_2026_januar_1_napjato_l_hatalyos_ugyelosztasi_rendje_modositasokkal_egyseges_szerkezetben.pdf, Chapter II.4.1.

⁵⁹ An amendment of Article 229(2) of Act XXXVI of 2013 on Electoral Procedure entered into force on 1 January 2026, increasing the number of judges forming a bench in electoral disputes from three to five.

⁶⁰ European Commission, 2023 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/system/files/2023-07/40_1_52623_coun_chap_hungary_en.pdf, p. 2.

⁶¹ European Commission, 2024 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bfb-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, p. 2.

⁶² European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 2.

⁶³ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2023, https://www.amnesty.hu/wp-content/uploads/2023/01/HUN_CS0_contribution_EC_RoL_Report_2023.pdf, pp. 9–10.

⁶⁴ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 11.

⁶⁵ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, p. 12.

⁶⁶ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 11.

⁶⁷ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 11.

⁶⁸ Date of entry into force of Act X of 2023 on the Amendment of Certain Laws on Justice related to the Hungarian Recovery and Resilience Plan.

and the status of the NJC.⁶⁹ With effect from 30 January 2024, as a result of the expiry of the previous NJC's mandate, the NJC carries out its duties in a new composition.

In spite of the significant strengthening of the NJC's powers, the body is not fully capable of fulfilling its constitutional role of effectively supervising the administration of courts – partly due to the gaps of the 2023 judicial reform and partly due to its inadequate implementation. On 2 April 2025, the NJC set up a Committee with the aim of mapping those problems that hinder the fulfilment of the body's constitutional task and to present recommendations for measures to address these. The NJC started to discuss the Committee's Draft Report on 3 December 2025. The NJC's majority voted down the publication of the Draft Report, but agreed to the publication of its executive summary.⁷⁰ From the executive summary and the records of the 3 December meeting, the directions of the legislative proposals can be inferred – some are detailed below.

(1) The Committee suggests that the NJC's supervisory role be extended to fully cover the Kúria President's administrative activities. In light of the Kúria's role in the Hungarian system of adjudication and the fact that the Kúria President, elected by the Parliament, is a political appointee, this extension seems justified to guarantee judicial independence against internal pressures.

The Committee also recommends that the Kúria President would not be a member of the NJC, and would be replaced by an elected member from among Kúria judges.

(2) The Committee suggests that those should not be eligible for NJC membership over whom the NOJ President exercises the employer's rights. This would exclude the NJC membership of the presidents and vice-presidents and college leaders of regional courts of appeal and regional courts.⁷¹ This suggestion also seems justified in light of the hierarchical relationship between the NOJ President and their appointees, as it is questionable whether judicial leaders appointed by the NOJ President are able to exercise independent and impartial supervision over the NOJ President as their own employer.

(3) The Committee suggests amendments aimed at guaranteeing the NJC's effective participation in the process of passing legislation concerning the justice system. These recommendations reflect the problems of the implementation of those elements of the 2023 judicial reform that were aimed at improving the quality of law-making and effectively involving stakeholders.

Practice shows that the Government only formally complies with the requirement that the NJC must be consulted on legislative proposals concerning the justice system, and regularly disregards the fact that the NJC is a collective body with specific rules regarding the time

⁶⁹ Act X of 2023 on the Amendment of Certain Laws on Justice related to the Hungarian Recovery and Resilience Plan granted legal personality, an autonomous budget and increased powers, including the right to propose legislation, comment on draft laws affecting the judiciary, have access to documents related to the administration of courts, consent to personnel matters and seek remedy against violations of its rights and competences.

⁷⁰ See the minutes of the 3 December 2025 meeting of the NJC here: <https://obt-jud.hu/sites/default/files/ufilese/2025.12.03.pdf> and the executive summary here: https://obt-jud.hu/sites/default/files/ufilese/Osszefoglalo_mellekletevel_2025.12.03.pdf.

⁷¹ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 128(2); Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 99

frame of convening meetings and voting on positions to be adopted. 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 participation in the legislative process (see Question I.2. on how Act XLIX of 2025 on the Amendment of Justice-related Laws was amended).

It also happens that the NJC is not in the position to provide its comments because legislation is initiated by MPs of the incumbent party. For instance, on 12 December 2024, incumbent MPs delegated to the Parliament's Legislative Committee submitted in an ongoing legislative process an amending proposal⁷² to raise the age limit for becoming a judge from 30 to 35 years. When this was criticised by the NJC,⁷³ the Minister of Justice responded that the proposed amendment did not fall under those legislative initiatives regarding which there was an obligation to consult the NJC.⁷⁴ This is yet another example for how the Hungarian government circumvents the obligations of consultation, especially since the raising of the age limit for becoming a judge reflected governmental intentions expressly professed in the quadrilateral Agreement.

Accordingly, the NJC Committee recommends that the legal framework be amended to make sure that (i) the NJC would be provided with a meaningful opportunity to formulate its opinion with regard to all legislative proposals concerning the justice system irrespective of who initiates those; (ii) sufficient time – at least 30 days – would be provided for this; and (iii) the NJC would have the right to request the abstract constitutional review of legislation concerning the justice system.

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil liability of judges

Concerns regarding the Integrity Policy⁷⁵ issued and to this date not amended by the NOJ President remain as was included in our previous contributions, which continues to exert a chilling effect among judges.

Examples in 2025 demonstrate how the Integrity Policy might be used against judges exercising their human rights: before a judicial workshop held on 24 May 2025 organised by Amnesty International Hungary, several court leaders attempted to deter judges and court staff from attending the event, claiming that participating would pose risk of integrity (see more on this under Question I.13.).

In another instance, when the personal data of ca. 200,000 alleged downloaders of the largest opposition party's mobile application were publicly leaked in autumn 2025, a pro-government page on X began listing some judges appearing on the list by name. In his reaction,⁷⁶ the Kúria

⁷² Amendment T/9997/4 to Bill T/9997, available at: <https://www.parlament.hu/irom42/09997/09997-0004.pdf>.

⁷³ See the letter of the NJC to the Ministry of Justice of 12 December 2024 at: https://obt-jud.hu/sites/default/files/sajtokozlomenyek-mellekletek/2024.OBT_K.VII_90-2.-Letter-to-MoJ.pdf.

⁷⁴ See the letter of the Minister of Justice to the President of the NJC of 13 December 2024 at: https://obt-jud.hu/sites/default/files/sajtokozlomenyek-mellekletek/VII.83.2.2024_Response-to-the-President-of-NCJ.pdf.

⁷⁵ Instruction 6/2016. (V. 31.) OBH of the NOJ President on the Integrity Policy

⁷⁶ See the Kúria's statement of 6 November 2025 at: <https://kuria-birosag.hu/hu/sajto/kuria-kozlomenye-17>

President promised that – provided there was evidence – he would “take action” against any judges involved, insinuating that downloading a mobile application amounts to engaging in political activity, and thus to a breach of integrity. Pro-government media⁷⁷ hinted at the necessity of sanctioning the judges concerned, but we have no information of any disciplinary or integrity proceedings against alleged users of the application, however according to pro-government news, the Metropolitan Regional Court is investigating the case at the time of submitting this contribution.⁷⁸

The disciplinary cases against judges are decided by service courts, the operation of which is not public according to the law.⁷⁹ The procedure of the service courts is not set by the law, only by internal regulations.⁸⁰ Despite the NJC’s proposal from 2024,⁸¹ no reform addressing this legislative omission was adopted to date. Although in 2020 a working group was set up for the purpose of discussing concepts for a future bill, according to the answer of the Ministry of Justice to the NJC vice-president, the group’s “further operation is not timely”.⁸²

The latest available report by the NOJ President regarding disciplinary proceedings is for the year 2024.⁸³ In 2024, six judges received written warnings from their principals and 10 disciplinary proceedings were initiated before the first instance service court.⁸⁴

There are nine service court decisions from 2025 uploaded to the NJC’s website,⁸⁵ four of which were made in disciplinary proceedings.⁸⁶ The published disciplinary decisions do not raise any concern regarding the operation of the service courts. The publication of these disciplinary decisions is not prescribed by the law, and depends solely on the NJC’s discretion.

After the Kúria President’s attacks against the legitimacy of service courts in previous years,⁸⁷ fear amongst the judiciary of the second-instance service courts’ possible future subjugation

⁷⁷ See: <https://www.vadhajtasok.hu/2026/01/06/hivatalos-a-kuria-mellelt-a-fovarosi-torvenyszek-is-vizsgalodik-a-tiszas-applikaciott-hasznalo-birak-ugyeben>.

⁷⁸ See e.g.: <https://magyarnemzet.hu/belfold/2026/01/tisza-part-kuria-applikacio-torvenyszek-biro-vizsgalat>.

⁷⁹ Article 119 of Act CLXII of 2011 on the Legal Status and Remuneration of Judges sets out the following: “Disciplinary proceedings and preliminary investigations shall be conducted in camera.”

⁸⁰ The regulation’s latest amendment was approved by the NJC on 7 May 2025 in Resolution 57/2025. (V. 7.) OBT, but the approved text is not yet available online. See the previous version here: <https://obt-jud.hu/sites/default/files/cikkek-mellekletei/Szolgalati-Birosagok-ugyrendje-2024.06.05-tol.pdf>.

⁸¹ Minutes of the 27 March 2024 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Jegyzokonyv_2024.03.27.pdf, p. 26.

⁸² Minutes of the 5 March 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Jegyzokonyv_2025.03.05.pdf, p. 19.

⁸³ Az Országos Bírósági Hivatal elnökének 2024. évi beszámolója [Report of the President of the National Office for the Judiciary for 2024], <https://www.parlament.hu/irom42/12831/12831.pdf>, pp. 59–60.

⁸⁴ Five judges received written warnings from their principals for misconduct in the performance of their duties and one judge for misconduct in the performance of their duties and for a behaviour harming or endangering the dignity of the judiciary. Ten disciplinary proceedings were initiated before the first instance service court (in five cases for misconduct in the performance of their duties, in three cases for a behaviour harming or endangering the dignity of the judiciary and in two cases for both reasons). In 2024, four out of nine proceedings ended with the imposition of disciplinary sanctions (one case of rebuking, one case of reprimand, one case of reduction by two salary levels, one case of motion for removal from judicial office as a disciplinary sanction). The NOJ President’s report does not give details about these proceedings.

⁸⁵ See: <https://obt-jud.hu/hu/szolgalati-birosag-hatarozatai> and <https://obt2018.hu/fegyelmi-birosagok-hatarozatai/>.

⁸⁶ See: case number SZF.4/2025., case number SzfF.2/2025/18., case number SZF.2/2025. and case number SzfF.1/2025/11.

⁸⁷ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CSO_contribution_EC_RoL_Report_2025.pdf, pp. 16–17.

under the Kúria is expressed in minutes of the NJC.⁸⁸ Moreover, at the 3 December 2025 NJC meeting the Kúria President claimed that “the service court is expressly operating in violation of the law”,⁸⁹ mentioning “a completely clear irregularity of operation” and “intentional breach of the law”,⁹⁰ but refused to elaborate on the statement in an open session. As included in our 2024 contribution,⁹¹ the judgment of the Court of Justice of the European Union (CJEU) in Case C-564/19 remains non-executed, and the mere act of referring a preliminary ruling request to the CJEU may serve as the basis for initiating a disciplinary action against a judge (see also Question IV.13.). This case also highlights the significance of the conflict between the Kúria President and the service court presidents, since as the former President of the NJC warned, the independence of the service courts from the court hierarchies is an important safeguard against the use of disciplinary proceedings for exerting pressure on judges.⁹² The Kúria President’s recurring attacks and the judicial defence of the service courts’ independence must be assessed in this light.

The procedure from 2022 regarding the constitutionality of the new, NJC-adopted Code of Ethics at the Constitutional Court is still pending.⁹³ The ongoing dispute and the chilling effect that it exerts on the NJC and the judges continue to have a negative impact on judges’ right to freedom of expression including participation in professional debates. After the 2025 autumn naming of judges based on their assumed political preferences and the subsequent political attacks (see Question I.10.),⁹⁴ further self-restriction of judges can be expected, especially that an amendment proposal by five NJC members to the Code of Ethics’ provision stipulating the prohibition of political activity was tabled for the 14 January 2026 NJC meeting.⁹⁵ The proposal was made after the 3 December 2025 NJC meeting’s debate regarding the proper interpretation of the prohibition of political activity.⁹⁶ After a lively debate about the proposal’s timeliness, necessity and content,⁹⁷ the NJC decided not to amend the provision of the Code.⁹⁸

⁸⁸ Minutes of the 5 March 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Jegyzokonyv_2025.03.05.pdf, pp. 19. and 26.; minutes of the 7 May 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Jegyzokonyv_2025.05.07.pdf, p. 6.

⁸⁹ Minutes of the 3 December 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Jegyzokonyv_2025.12.03.pdf, p. 13.

⁹⁰ Minutes of the 3 December 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Jegyzokonyv_2025.12.03.pdf, p. 16.

⁹¹ *Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report*, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 16.

⁹² Tamás Matusik, Targeting Disciplinary Courts. Why Hungary is on the verge of a full-scale judicial capture, *Verfassungsblog*, 16 January 2025, <https://verfassungsblog.de/targeting-disciplinary-courts/>. See also: <https://www.szabadeuropa.hu/a/a-kuria-elnok-harca-mindenki-ellen/33275186.html>.

⁹³ Case II/01285/2022, <https://alkotmanybirosag.hu/ugyadatlap/?id=B1E83AFC8B10B1D2C125885B005B3B7E>

⁹⁴ Tamás Matusik, Doxing Judges – How a Serious Personal Data Breach Exposed the Continuing Vulnerability of Hungary’s Judges, *Verfassungsblog*, 11 November 2025, <https://verfassungsblog.de/hungary-judges-leak-list/>

⁹⁵ See the NJC President’s draft proposal for the agenda of the 14 January 2026 meeting of the NJC at: https://obt-jud.hu/sites/default/files/u/lesek/Napirendi_javaslat_tervezet_2026.01.14.pdf, point no. 5.

⁹⁶ See the minutes of the 3 December 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Jegyzokonyv_2025.12.03.pdf, pp. 4–21.

⁹⁷ See: [Facebook post](#) by the NJC.

⁹⁸ The minutes of the meeting are yet to be published. See the summary of the 14 January 2026 meeting of the NJC, https://obt-jud.hu/sites/default/files/u/lesek/Osszefoglalo_2026.01.14.pdf.

8. Independence/autonomy of the prosecution service

The prosecution service continues to have a strictly hierarchical structure. As noted by the 2025 Rule of Law Report as well, this, *“together with the lack of internal checks and balances, means that the risk continues that senior prosecutors can influence the work of subordinate prosecutors, including in individual cases”*.⁹⁹ This has to be viewed together with the repeated conclusion of the Rule of Law Reports that Hungary has been failing to establish *“a robust track record of investigations, prosecutions and final judgments for high-level corruption cases”*.

The 14th Amendment to the Fundamental Law removed, as of 1 January 2025, the requirement that the Prosecutor General should be elected “from among the prosecutors”,¹⁰⁰ opening the path for the position to be filled in by a non-prosecutor. Although the explanatory memorandum of the bill¹⁰¹ referred to aligning the law with the practice (i.e. that since the transition, two out of the three Prosecutor Generals were not prosecutors when first elected) and to international examples, it provided no real justification as to why this amendment became necessary over a decade after the adoption of the original rules. In its June 2025 opinion, the Venice Commission expressed concerns about this change, pointing out that its findings and recommendations are *“particularly relevant in a system, such as the Hungarian, where the Prosecutor General enjoys wide powers”*.¹⁰² In June 2025, the previous Prosecutor General’s chief of cabinet, i.e. a sworn-in prosecutor was elected as the new Prosecutor General¹⁰³ – after the previous Prosecutor General resigned before the end of his mandate (getting subsequently elected as Constitutional Court President), allowing the governing majority to elect a new Prosecutor General for nine years before the national elections in 2026.

Hungary has still not implemented GRECO’s recommendation to review the possibility to maintain the Prosecutor General in office after the expiry of their mandate by a minority blocking of the election in the Parliament of a successor.¹⁰⁴ This possibility was criticised by

⁹⁹ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 8.

¹⁰⁰ The respective Article 29(4) of the Fundamental Law as currently in force sets out the following: *“The Prosecutor General shall be elected by the Parliament for nine years on a proposal from the President of the Republic. The Prosecutor General shall be elected with the votes of two thirds of the Members of the National Assembly.”* This was accompanied by the amendment of the respective statutory rules: Act LXVII of 2024 correspondingly amended Article 11(1) of Act CLXIV of 2011 on the Legal Status of the Prosecutor General, Prosecutors and Other Members of the Prosecution Service and on the Career Path of Prosecutors.

¹⁰¹ Bill T/9997 on the Fourteenth Amendment to the Fundamental Law of Hungary, <https://www.parlament.hu/irom42/09997/09997.pdf>

¹⁰² European Commission for Democracy Through Law (Venice Commission), *Hungary – Opinion on the constitutional and legislative amendments concerning the requirements to be appointed Prosecutor General and Constitutional Court Judge of Hungary, as well as the appointment and retirement of judges*, CDL-AD(2025)028, 16 June 2025, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)028-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)028-e), para. 67.

¹⁰³ Parliamentary Resolution 34/2025. (VI. 11.) OGY on Electing the Prosecutor General

¹⁰⁴ Group of States against Corruption (GRECO), *Fourth Evaluation Round – Corruption prevention in respect of members of parliament, judges and prosecutors, Fourth Interim Compliance Report – Hungary*, GrecoRC4(2023)7, <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680ab87f1>, paras 54–57. According to Article 22(2) of Act CLXIV on the Status of the Prosecutor General, Prosecutors and Other Prosecution Employees and the Prosecutor Career, if the mandate of the Prosecutor General expires, they shall exercise the powers of the Prosecutor General until the new Prosecutor General takes office. Under Article 29(4) of the Fundamental Law, the Prosecutor General shall be elected with the votes of two thirds of the MPs.

the Venice Commission as early as 2012,¹⁰⁵ and it “could expose [the Prosecutor General] to undue political influence”.¹⁰⁶ It also continues to be the case that the Prosecutor General can only be removed from office with a two-thirds majority of MPs as a result of a 2021 amendment.¹⁰⁷

GRECO’s recommendation that the immunity of prosecutors be limited to activities relating to their participation in the administration of justice (“functional immunity”) remains not implemented.¹⁰⁸

It was also recommended by GRECO that disciplinary proceedings in respect of prosecutors be handled outside the immediate hierarchical structure of the prosecution service and in a way that provides for enhanced accountability and transparency. As a result, the respective rules were amended to involve a disciplinary commissioner in disciplinary proceedings. GRECO welcomed this step, but pointed out that the disciplinary commissioner’s “role is limited, and the superior prosecutor is still leading the overall procedure”, and that “[n]o measures to increase the transparency of the process has been reported” by the Hungarian authorities.¹⁰⁹

In sum, out of the four recommendations issued by GRECO in 2015 in relation to corruption prevention in respect of prosecutors, one remains not implemented, while two remain only partly implemented.

The statutory rules introduced as of July 2024¹¹⁰ which granted the Ministry of Justice unlimited access to decisions delivered by the judiciary, the prosecution service and other autonomous state bodies and government agencies remain in effect. These rules allow the Ministry of Justice to acquire protected information to which it would not have access otherwise.¹¹¹ It is particularly concerning that the Ministry of Justice can get access to decisions of the prosecutor and of the investigating authorities generated in criminal proceedings that can be reopened without judicial intervention. In addition to the concern that the Ministry of Justice can exert political influence and pressure on the prosecution service with regard to individual cases based on reviewing the decisions accessed, it is also disquieting that the Ministry of Justice is able to access decisions generated in criminal

¹⁰⁵ European Commission for Democracy Through Law (Venice Commission), *Opinion on Act CLXIII of 2011 on the Prosecution Service and Act CLXIV of 2011 on the Status of the Prosecutor General, Prosecutors and Other Prosecution Employees and the Prosecution Career of Hungary*, CDL-AD(2012)008, 19 June 2012, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2012\)008-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2012)008-e), paras 55–60.

¹⁰⁶ European Commission, *2023 Rule of Law Report – Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/system/files/2023-07/40_1_52623_coun_chap_hungary_en.pdf, p. 8.

¹⁰⁷ See Article 61/A(1)(i) of Act XXXVI of 2012 on the Parliament, as introduced by Article 85 of Act CXXII of 2021 on Amending Certain Laws on Justice and Related Matters.

¹⁰⁸ Group of States against Corruption (GRECO), *Fourth Evaluation Round – Corruption prevention in respect of members of parliament, judges and prosecutors, Fourth Interim Compliance Report – Hungary*, GrecoRC4(2023)7, <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680ab87f1>, paras 58–61.

¹⁰⁹ *Ibid.*, paras 62–66.

¹¹⁰ Via Act XVII of 2024 on the Amendment of Laws related to Justice Matters.

¹¹¹ To a freedom of information request, the NOJ on 12 January 2026 informed Amnesty International Hungary that the Ministry of Justice did not request access to court case files from the NOJ in 2025.

proceedings that contain highly sensitive personal information, which can potentially be extrapolated despite anonymisation.¹¹²

In September 2025, the Ministry of Justice was instructed in an emergency government decree to investigate the issue of reported abuses in a juvenile correctional institution. To that end, Government Decree 293/2025. (IX. 24.)¹¹³ set out that in relation to this, the Minister of Justice or his representative shall have access to all documents, data, and facts related to the ongoing criminal proceedings, shall be allowed to enter official premises, and shall be allowed to inspect documents, and may inform the Government and the public of his findings, and said data and facts. The Minister prepared a report, but it seems that this was ready before the decree even entered into force.¹¹⁴

9. Independence of the Bar (chamber/association of lawyers) and of lawyers

In April 2025, the President of the Hungarian Bar Association, Dezső Havasi, held a speech at the 17th Hungarian Lawyers' Assembly. In his speech,¹¹⁵ Havasi expressed his concerns about the freedom of judges to apply the law, raising concerns over the limited precedent system and the uniformity complaint system introduced into the Hungarian justice system (see Questions IV.11. and IV.13).

András Zs. Varga, the Kúria President got so offended by the speech that he reportedly stormed out of the event and ordered several representatives of the Kúria to leave as well.

A few days later, on 15 April 2025, the Kúria issued an indignant statement,¹¹⁶ describing Havasi's remarks as *"sharp political criticism disguised as professional commentary, which disregards the law and the facts and treats the provisions of the Fundamental Law as insignificant"*.

In response, the presidency of Hungarian Bar Association issued a statement¹¹⁷ as well, in which they stated that they consider the attacks against the President of the Hungarian Bar Association for his presentation *"to be unfounded and unjustified, and reject them in the strongest possible terms"*. They reminded that professional comments are a recurring feature of lawyers' meetings, and debates may arise in some cases. *"However, the Kúria President expressed his differing opinion in an unprecedented manner by leaving [the event] and recalling the judges of the Kúria, which the presidency of [the Hungarian Bar association] treats and interprets as a unique reaction that remains within the bounds of freedom of expression, even if the move may have rightly provoked disagreement among Hungarian lawyers"*, the statement said.

¹¹² For a detailed analysis, see: Hungarian Helsinki Committee – Transparency International Hungary, *A Sauron's Eye in the Hungarian Justice System*, 31 May 2024, https://helsinki.hu/wp-content/uploads/2024/05/A_Saurons_eye_in_the_Hungarian_Justice_System_20240531.pdf.

¹¹³ Government Decree 293/2025. (IX. 24.) on Measures Necessary to Investigate the Abuses at the Szőlő Street Juvenile Correctional Institution and for the Protection of Children

¹¹⁴ Government Decree 293/2025. (IX. 24.) entered into force at 13:00 on 24 September 2025, but the Minister of Justice posted on Facebook already at 11:59 a video in which he stated that he holds the investigation report in his hands: <https://www.facebook.com/reel/1579516556343510>.

¹¹⁵ Available at: https://drive.google.com/file/d/1ynayj9demZUwZK05DysEKl3n_Qx1sUEt/view.

¹¹⁶ Available at: <https://kuria-birosag.hu/hu/sajto/kuria-kozlemenye-9>.

¹¹⁷ See e.g.: https://hvg.hu/itthon/20250416_kuria-varga-zs-muk-kozlemeny-havasi.

10. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

Judges speaking out in defence of judicial independence continue to face pressures.¹¹⁸

Following an “Agreement” in late 2024 conditioning judicial salary increase on the judiciary’s prior acceptance of undefined justice reforms, unprecedented protests burst out¹¹⁹ among judges culminating in the resignation of the NJC President,¹²⁰ the NJC’s withdrawal from the Agreement¹²¹ and a demonstration organised by judges on 22 February 2025.¹²²

Protesting judges¹²³ were portrayed in pro-government media as participants of an anti-government political action financed by the “*Soros network and Brussels*”.¹²⁴ A pro-government publicist made a call to draw up a list of demonstrating judges and boycott all cases where any of them adjudicate.¹²⁵ The Minister of the Prime Minister’s Office said that he found it difficult to reconcile participation in a demonstration with the judicial role, and that it was lawful to give an account of a demonstration, so participants had to reckon with this.¹²⁶

In his 15 March speech, the Prime Minister compared dissenting judges to insects and threatened them: “*After today’s festive gathering will come house cleaning for Easter. The bugs have survived winter. We are dismantling the financial machine that has used corrupt dollars to buy politicians, judges, journalists, bogus civil society organisations and political activists. We will disperse the entire shadow army.*”¹²⁷

¹¹⁸ Hungarian Association of Judges, *Kutatási jelentés a magyar bírák véleménynyilvánítási szabadságával kapcsolatos egyes kérdésekről* [Research report on certain issues relating to the freedom of expression of Hungarian judges], November–December 2023, https://mabie.hu/attachments/article/1801/Kutatasi_jelentes_B.pdf. For an unofficial English translation, see: https://helsinki.hu/wp-content/uploads/2025/01/Kutatasi_jelentes_B_en-1.pdf.

¹¹⁹ Hungarian Helsinki Committee, *Judges’ salary is a public matter, and not an issue of personal finances*, 3 December 2024, <https://helsinki.hu/en/judges-salary-is-a-public-matter-and-not-an-issue-of-personal-finances/>.

¹²⁰ See e.g.: <https://telex.hu/english/2024/12/04/the-president-of-the-national-judicial-council-resigns-after-a-deal-with-the-government>.

¹²¹ See e.g.: <https://telex.hu/english/2025/01/15/national-judicial-council-annuls-controversial-agreement-made-with-government>.

¹²² See e.g.: <https://www.reuters.com/world/europe/hungarian-judges-court-staff-rally-judicial-independence-2025-02-22/>.

¹²³ Cf. Hungarian Association of Judges, *Felhívás véleménynyilvánításra, csatlakozó nyilatkozatok megküldésére* [Call for expression of opinion and submission of supporting declarations], 21 November 2024, <https://mabie.hu/berjavaslat/felhivas-velemenynyilvanitasra-csatlakozo-nyilatkozatok-megkueldesere>; Hungarian Association of Judges, *A demonstráció programja* [Programme of the demonstration], 20 February 2025, <https://www.mabie.hu/hirek/a-demonstracio-programja>.

¹²⁴ A pro-government TV channel was obliged by the court to rectify this claim after the organisers launched a lawsuit against it: See: Hungarian Association of Judges, *Jogerős döntés a sajtó-helyreigazítási perben* [Final judgment in the press rectification case], 6 August 2025, <https://mabie.hu/hirek/jogeros-doentes-a-sajto-helyreigazitasi-perben>

¹²⁵ See e.g.: https://hvg.hu/itthon/20250207_orzagos-biroi-tanacs-birak-tuntetes-listazas-bayer-zsolt.

¹²⁶ See e.g.: https://hvg.hu/itthon/20250206_Gulyas-Gergely-szerint-nincs-gond-Bayer-Zsolt-birokat-listazo-otletevel.

¹²⁷ See the official English version of the speech by Prime Minister Viktor Orbán on the 177th anniversary of the Hungarian Revolution and War of Independence of 1848–49 of 15 March 2025 at: <https://miniszerelnok.hu/en/speech-by-prime-minister-viktor-orban-on-the-177th-anniversary-of-the-hungarian-revolution-and-war-of-independence-of-1848-49/>.

In April 2025, a smear campaign in pro-government media was conducted against Tamás Matusik, former NJC President and vocal defender of judicial independence, over one of his adjudicative decisions.¹²⁸

In November 2025, judges were listed in pro-government media based on alleged political affiliation after their names appeared in a leaked database linked to an app associated with the opposition TISZA party, created for participation in party primaries and receiving information about events. Pro-government media not only quickly singled out the judges, publishing their names, but even noted that their addresses and phone numbers were included among the leaked data.¹²⁹

In December 2025, a court interimly banned the distribution of a government-affiliated tabloid edition on the TISZA party's alleged tax plans.¹³⁰ Minister János Lázár reacted by calling the judge a "*TISZA judge*" and saying that "*Hungarian judges are independent, which means that they only suck up to the TISZA*".¹³¹ The Fidesz faction leader claimed that the name and address of the judge was identical with that of a person in the leaked TISZA list,¹³² while a State Secretary said that "*with Brussels and the TISZA-app judges behind his back, [the TISZA party's leader] crushes everyone who dares to go against him*".¹³³ On 23 December, Minister Gergely Gulyás said that the "*judicial administration, it seems, [...] deems it acceptable that party sympathizer judges adjudicate*".¹³⁴ In January 2026,¹³⁵ he criticised the NOJ and the NJC for not condemning and investigating "*that party sympathizer judges adjudicate*" and consequently, according to him, it is reasonable to have suspicions around these kinds of "*absurd judgments*". In January 2026, a private person filed a police report against the judge handing down the interim measure for "abuse of office".¹³⁶

The impact of political attacks is exacerbated by the unwillingness of some judicial leaders to firmly stand up against them. Judges are prohibited from party membership or political activities, but they are eligible to vote and nominate candidates. Downloading an app providing information for doing so seems to be within these boundaries, so – as explained by the former NJC President¹³⁷ – it cannot be regarded as forbidden activity. However, when asked, the NOJ President avoided taking a stance by pointing to the possibility of launching disciplinary proceedings "*if [a] court president acquires official knowledge that a judge has violated this*

¹²⁸ See e.g.: <https://magyarnemzet.hu/belfold/2025/04/pressman-matusik-drog-biro>. The judge was attacked for refusing to order the pre-trial detention of a suspect. Although the prosecution appealed against his decision, it was upheld by the court of second instance.

¹²⁹ See e.g.: <https://mandiner.hu/belfold/2025/11/aktiv-birak-a-kiszivargott-tisza-adatbazisban-valaszolt-az-obh>.

¹³⁰ See e.g.: https://hvg.hu/itthon/20251219_magyar-peter-tisza-part-bors-lejarato-kiadvany-fovarosi-torvenyszek-tiltas-mediaworks.

¹³¹ See e.g.: https://hvg.hu/itthon/20251222_Lazar-janos-betiltott-bors-biro-ebx.

¹³² See e.g.: <https://telex.hu/belfold/2025/12/19/fovarosi-torvenyszektol-targyilagoss-es-partatlan-dontes-varhato>.

¹³³ See e.g.: <https://index.hu/belfold/2025/12/21/bors-kulonszam-tisza-part-adocsomag-tatahaza-matetelke-gyujtos-birosag-tilalom/>.

¹³⁴ <https://www.youtube.com/watch?v=HRMo7Klx0WY> [video from 58:00]

¹³⁵ <https://telex.hu/video/2026/01/15/gulyas-gergely-kormanyinfo-szolo-utca-juhasz-peter-pal-index-tisza-part-labon-lott-fideszes-matolcsy-adam> [video from 8:00]

¹³⁶ See e.g.: https://hvg.hu/itthon/20260109_hivatali-visszaeles-miatt-jelentettek-fel-a-bors-kulonszamat-betiltol-birot.

¹³⁷ Tamás Matusik, *Doxing Judges: How a Serious Personal Data Breach Exposed the Continuing Vulnerability of Hungary's Judges*, *Verfassungsblog*, 11 November 2025, <https://verfassungsblog.de/hungary-judges-leak-list/>

obligation [of not engaging in political activities]".¹³⁸ He also failed to firmly speak out against the Prime Minister's 15 March speech.

The Kúria President actually amplified the political attacks. In his 2025 new year's letter, he accused judges speaking up against the "Agreement" of conducting political activities.¹³⁹ After the Prime Minister's 15 March speech, his comment was simply that "*political actions inevitably trigger political reaction*".¹⁴⁰ In the aftermath of the TISZA database leak, he issued a press release hinting that the concerned judges themselves might be held responsible for breaching their duties, and stating that if he received credible information he would be ready to conduct the appropriate procedures.¹⁴¹ This is all the more problematic, since, as the NJC's warned,¹⁴² he has no right to conduct disciplinary procedures in such cases. At an NJC meeting, he made insinuations of NJC members' appearance in the leaked TISZA database.¹⁴³ Hinting at other NJC members' political involvement, he also claimed that "*actual party politicians usually participate*" in the drafting of NJC proposals.¹⁴⁴

B. Quality of justice

11. Accessibility of courts [single market relevance]

(1) In criminal procedures, defendants are entitled to use their mother tongue, or any other language spoken/understood by them, as well as sign language.¹⁴⁵ However, concerns stipulated in our 2024 contribution¹⁴⁶ remain regarding the quality of interpretation and translation or the lack of a formalised quality assurance system.

(2) A new piece of legislation¹⁴⁷ introduced the possibility of shortened reasoning of civil court judgments, and in some of these cases, the applicant must notify to the court their intention to appeal within five working days from receiving the judgment – in such cases applicants must pay upfront 5% of the appeal court fee, which is an additional financial and administrative burden.¹⁴⁸

¹³⁸ See e.g.: <https://mandiner.hu/belfold/2025/11/aktiv-birak-a-kiszivargott-tisza-adatbazisban-valaszolt-az-obh>.

¹³⁹ For more details, see the Hungarian Helsinki Committee's communication of 20 January 2025 to the Committee of Ministers of the Council of Europe concerning the execution of the judgment of the European Court of Human Rights in the *Baka v. Hungary* case at: https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HHC_Baka_Rule_9_2_20_01_2025.pdf, Section III.2.1.

¹⁴⁰ See the Kúria President's statement of 17 March 2025 at: <https://kuria-birosag.hu/hu/sajto/kuria-elnokenek-kozlemenye-4>.

¹⁴¹ See the Kúria's press release of 6 November 2025 at: <https://kuria-birosag.hu/hu/sajto/kuria-kozlemenye-17>.

¹⁴² See the NJC's press release of 22 November 2025 at: <https://obt-jud.hu/hu/biroi-fuggetlenseg-vedelmerol>.

¹⁴³ "[T]wo judges started mentioning this, who have since been linked to a certain list. [...] Someone appears in a publicly disclosed database in various capacities in connection with an application." (Minutes of the 3 December 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Jegyzokonyv_2025.12.03.pdf, pp. 20–21.)

¹⁴⁴ Minutes of the 3 December 2025 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Jegyzokonyv_2025.12.03.pdf, p. 13.

¹⁴⁵ Act XC of 2017 on the Code of Criminal Procedure, Articles 8 and 78

¹⁴⁶ See: *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, pp. 22–23.

¹⁴⁷ Act XLIX of 2025 on the Amendment of Justice-related Laws, Article 148, amending Article 348 of the Code of Civil Procedure

¹⁴⁸ Act XCIII of 1990 on Stamp Duties, Article 46(1a)

(3) The income threshold for legal aid in Hungary is the lowest in all European Union countries.¹⁴⁹ Hungary provides free legal aid (legal counsel) for people with a monthly maximum income of HUF 28,500 (€ 74) per person¹⁵⁰ as a general rule.¹⁵¹ Consequently, access to equal justice for all is hindered by the fact that not everyone is able to afford legal services and go to court because of their financial situation.

In criminal cases, too, if it is foreseen that due to their financial situation the defendant will be unable to pay the costs of the procedure or parts of it, authorities may grant them cost reduction, entailing that the fee and the costs of the defence counsel are advanced and borne by the state,¹⁵² however, the above extremely low income threshold applies and defendants have to live way below the minimum subsistence level to qualify. In addition, administrative requirements are rigid and difficult to comply with. As a result, many indigent defendants – living even under the poverty line – are not granted a cost reduction.

Even though the fees for defence lawyers under the legal aid scheme were raised to HUF 7,000 (€ 18) per hour for 2026,¹⁵³ they are still regarded as critically low,¹⁵⁴ impacting access to justice and the right to a fair trial. Furthermore, there is still no quality assurance system in place for legal aid lawyers.

Consequently, concerns as regards the level of inclusiveness of indigent defendants and other law-seeking people of the legal aid scheme in general, as raised by the 2023,¹⁵⁵ 2024¹⁵⁶ and 2025¹⁵⁷ Rule of Law Report, remain valid.

(4) The lack of deadlines in the Constitutional Court's proceedings, or the Constitutional Court's failure to respect the existing deadlines – including the 90-day constitutional deadline

¹⁴⁹ European Commission, *The 2025 EU Justice Scoreboard. Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the Committee of the Regions*, COM(2025) 375, 1 July 2025,

https://commission.europa.eu/document/download/51b21eff-a4b0-4e73-b461-06bd23b43d4e_en?filename=2025%20EU%20Justice%20Scoreboard_template.pdf, p. 21., Figure 24.

¹⁵⁰ According to the calculations of the Budapest Institute, based on Eurostat data, the approximate number of people earning no more than HUF 28,500 (€ 74) in Hungary was 211,000 in 2018. According to research, the national poverty line ("létminimum") was HUF 124,820 (€ 304) in 2020. See: Policy Agenda, *Létminimum Magyarországon 2019–2020 [Poverty Line in Hungary 2019–2020]*, 23 March 2023,

<https://policyagenda.hu/elemezések/tarsadalom/2023/letminimum-magyarorszagon-2019-2020/>.

¹⁵¹ According to Articles 5(1) and (3) of Act LXXX of 2003 on Legal Aid, the state bears the costs of the legal services if the net monthly income of the person concerned does not exceed the base of calculation for social benefits (or, if they live alone, 150% of the base of calculation for social benefits), and have no assets. According to Article 7(1) of Government Decree 63/2006. (III. 27.) on the Detailed Rules for the Application for, the Determination and Payment of Social Benefits in Cash and in Kind, the sum of the base of calculation for social benefits is HUF 28,500 (€ 74).

¹⁵² Act XC of 2017 on the Criminal Procedure Code, Articles 75(1), 76(1)(a) and 77(1)

¹⁵³ Act LXIX of 2025 on the 2026 Central Budget of Hungary, Articles 67(3)–(4)

¹⁵⁴ There are no available state statistics about defence lawyers' fees in the private sector, however, according to a website that connects professionals with clients, the average hourly fee of an attorney is between HUF 22,000–30,000 (€ 57–78). See: <https://qjob.hu/blog/articles/ugyved-arak>.

¹⁵⁵ European Commission, *2023 Rule of Law Report – Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/system/files/2023-07/40_1_52623_coun_chap_hungary_en.pdf, p. 9.

¹⁵⁶ European Commission, *2024 Rule of Law Report Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bfb-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, p. 12.

¹⁵⁷ European Commission, *2025 Rule of Law Report Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 9.

in procedures initiated by judges¹⁵⁸ – remain to constitute a serious obstacle to access to justice. In 2025, the Constitutional Court in two cases¹⁵⁹ decided after four years: in one of them, the Constitutional Court rejected Judge Csaba Vasvári's application related to the declaration of invalidity of his application procedure for a judicial position, while the other was related to the omissions of an Act of Parliament on tackling climate change. In 2025, the Constitutional Court decided nine cases that had been initiated in 2022 and 40 cases that had been initiated in 2023.

12. Resources of the judiciary, remuneration/bonuses/rewards for judges and prosecutors, including observed changes

The Hungarian judiciary is underfinanced and lacks financial independence, which makes it vulnerable to economic and political pressure.

The root cause of the problem lies in the legislation governing the remuneration of judges and judicial staff, which lacks an automatic annual adjustment of salaries, thus subjecting the judiciary to the benevolence of the executive and the legislature. Before 2025, the judicial salary base was last raised (by 13%) on 1 January 2022.¹⁶⁰ After that, no adjustments were made for three years despite cumulative inflation.¹⁶¹ This stagnation reflects a structural deficiency in the legal framework governing judicial salaries, which remain entirely dependent on the discretion of the executive and legislative branches of power. The growing disparity between judicial and non-judicial public sector salaries formed the basis of the NOJ President's proposal for a salary base adjustment during the 2025 budget cycle envisaging a 35% increase of the salary base as of 1 January 2025.¹⁶² The Government, however, declined to forward the proposal to the Parliament and instead maintained the existing amount, although it would have been obliged by law to do so without any modification.¹⁶³

The Government then advanced an "Agreement" conditioning the salary increase on the judiciary's prior acceptance of broad and undefined institutional reforms.¹⁶⁴ The "Agreement" was concluded between the Ministry of Justice, the Kúria President, the NOJ President, and the NJC, following a rushed and opaque process. The resulting increase envisaged by the "Agreement" (48% over three years) would have compensated only a small portion of the inflation since 2021, and linked even this limited salary correction to consent to problematic reforms.

¹⁵⁸ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 23.

¹⁵⁹ Decisions 3339/2025. (XI. 12.) AB and 5/2025. (VI. 30.) AB of the Constitutional Court

¹⁶⁰ Res Iudicata Association, *Összefoglaló a bírói bérekről [Summary on judicial remuneration]*, 14 January 2025, https://resiudicata.hu/wp-content/uploads/2025/01/RI_illetmeny_20240114.pdf

¹⁶¹ Hungarian Association of Judges, *Tények a bírói bérek összecszerűségéről [Facts on the amount of judicial salaries]*, 3 June 2024, <https://mabie.hu/hirek/tenyek-a-biroi-berek-osszegszerusegerol>

¹⁶² See Resolution 189/2024. (X. 16.) OBT of the NJC on exercising the right of consent regarding the 2025 court budget proposal: <https://obt-jud.hu/sites/default/files/hatarozatok/2024-11/189-2024-X-16-OBT-hatarozat.pdf>.

¹⁶³ For more details, see: Hungarian Helsinki Committee, *Black Friday at Hungarian Courts. Sweeping public protest of Hungarian judges against a political deal undermining judicial independence*, 6 December 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/12/HHC_Black_Friday_Hungarian_judiciary_2024.pdf.

¹⁶⁴ See the information provided by the NJC on the "Agreement" at: <https://obt-jud.hu/hu/tajekoztatas>.

Hungary's 2025 central budget eventually increased the salary base for judges by only 15%,¹⁶⁵ whereas Act LXXIV of 2024 on Determining the Basis for Hungary's 2025 Central Budget severed the system of Kúria judges' remuneration from the system of remuneration applicable to all other judges,¹⁶⁶ making the income differences between the Kúria and the lower-level courts drastic. According to the Hungarian Association of Judges, *"a difference of this magnitude eliminates the proportionality within the judiciary, which disrupts society's trust in the court system, and creates enormous internal tensions"*.¹⁶⁷ In his 2025 new year's letter, the Kúria President wrote about the significant salary raise that *"obviously, we must know that this beneficial treatment – which we are naturally happy about – has not been given to us for free"*.¹⁶⁸ It is unclear from the letter what in the President's view the price of the treatment has been, but it seems likely that the changes in the salary system were related to the judiciary's reactions to the "Agreement".

Although Hungary's 2026 central budget has brought along a further increase of the salary base for judges,¹⁶⁹ the overall increase compared to 2022 still falls behind the inflation since 2022 and the rate of increase recommended by professional organisations, and the structural problem whereby judges and prosecutors remain to be "at the mercy" of the other branches of power when it comes to their salaries, remains in place.

Further risks to judicial independence stem from the adoption of Act XLIX of 2025 on the Amendment of Justice-related Laws, which introduced as of August 2025 an automatic financial compensation mechanism for parties in civil and administrative proceedings whenever courts exceed statutory procedural deadlines. This automatic compensation regime risks creating indirect pressure on judges; repeated delays may expose judges to administrative steps, internal inquiries, or even disciplinary proceedings. Court leaders, who are legally responsible for ensuring timely adjudication, may feel compelled to place pressure on individual judges to accelerate proceedings in order to avoid budgetary consequences. (See Question I.18. for more details.)

An additional problem is the exodus of judicial staff from some courts due to the very low salary levels. In August 2025, the Metropolitan Regional Court's president asked in a letter other court presidents for help because the number of court stenographers had reached a critical low (25 stenographers per 50 judges) at the penal branch of the Budapest Central District Court. Judges confirmed that the labour shortage was so acute that they had to spend the summer recess producing the records and transcripts from their spring hearings and taking care of all administrative matters that are normally performed by judicial staff.¹⁷⁰

¹⁶⁵ From HUF 566,660 (€ 1,490) to HUF 651,660 (€ 1,715), according to Article 69 of Act XC of 2024 on Hungary's Central Budget for 2025.

¹⁶⁶ Act XC of 2024 on the Central Budget of Hungary for 2025, Article 158/C

¹⁶⁷ Hungarian Association of Judges, *A MABIE közleménye a bírói fizetések arányosságának biztosításáról* [MABIE's statement on ensuring the proportionality of judges' salaries], 20 May 2025,

<https://www.mabie.hu/berjavaslat/a-mabie-kozlemenye-a-biroi-fizetesek-aranyossaganak-biztositasarol>

¹⁶⁸ The new years' letter of the Kúria President is available at:

https://kuria-birosag.hu/sites/default/files/sajto/a_kuria_elnokenek_ujevi_koszontoje_2025_b.pdf.

¹⁶⁹ Act LXIX of 2025 on the Central Budget of Hungary for 2026, Article 67. The text envisages a 10% increase from HUF 651,660 (€ 1,715) to HUF 716,830 (€ 1,886).

¹⁷⁰ See e.g.: https://hvg.hu/360/20250903_levelben-kert-segitseget-a-jegyzohiany-miatt-a-Fovarosi-Torvenyszek-elnoke.

Taken together, the lack of a foreseeable and automatic system of salary adjustment, the introduction of an automatic compensation regime for delays, and severe staffing shortages reveal a pattern of legislative and institutional developments that threaten judicial independence in Hungary.

13. Training of justice professionals [single market relevance]

The main structure of the educational system for judges did not change in 2025. It is the NOJ President who decides on and supervises the implementation of the central training program and who determines, with the NJC's consent, the rules for the judicial training system and fulfilling training obligations.¹⁷¹ The NOJ President publishes the annual training plan on the central website of the judiciary.¹⁷² Since 2021, an expert group of 16 judges, invited by the NOJ President, has also assisted in preparing and executing the central training plan.¹⁷³

The Hungarian Academy of Justice is responsible for the training of judges and others involved in the administration of justice and carries out the task of the uniform, central training of judge trainees (*"fogalmazók"*).¹⁷⁴ The Academy operates within the NOJ,¹⁷⁵ and its head is appointed by the NOJ President.¹⁷⁶ The information on the Academy's website is very scarce; not even the name of the Academy's director is indicated.¹⁷⁷

Participation in different training programs and teaching is important for judicial career development. These activities are rewarded with points in judicial applications. In recent years, the NJC has urged a more transparent and merit-based system for selecting judge trainers and providing equal access to national and international trainings.¹⁷⁸

The NOJ President passed the resolution on the 2026 central training plan in September 2025, after the NJC supported¹⁷⁹ the draft plan. Compared to the 2025 central training plan,¹⁸⁰ the NOJ President manifestly incorporated a previous proposal of the NJC by making human rights- and EU law-themed courses part of the training programme in all case categories.¹⁸¹ Compulsory trainings are organised primarily for junior judges appointed for a fixed three-year term, court clerks and judge trainees, aiming to prepare them for the judicial office. Despite the recent amendment that favours external applicants with the prescription of two years of legal practice gained outside of the judiciary (see more on this under Question I.2.), the Hungarian judiciary is traditionally built on a career system. Judges are selected mainly from among court clerks who previously entered the judiciary as judge trainees. Therefore, judges

¹⁷¹ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 76(7)

¹⁷² These plans back to 2018 are available at: <https://birosag.hu/birosagokrol/birosagi-szervezet/obh/mia/kepzesi-rendszer>.

¹⁷³ See: <https://birosag.hu/birosagokrol/birosagi-szervezet/obh/mia/kepzesi-rendszer>.

¹⁷⁴ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 171/A(1)

¹⁷⁵ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 171/A(2)

¹⁷⁶ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 76(7)(c)

¹⁷⁷ See: <https://birosag.hu/birosagokrol/birosagi-szervezet/obh/mia>.

¹⁷⁸ For the criticism of the training system, see: *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2023, https://helsinki.hu/en/wpcontent/uploads/sites/2/2023/01/HUN_CS0_contribution_EC_RoL_Report_2023.pdf, pp. 19–20.

¹⁷⁹ In its resolution, the NJC reiterates the proposals made in 2024. See: Resolution 106/2025. (IX. 3.) OB of the NJC.

¹⁸⁰ Resolution 94.SZ/2024 (XI. 20.) OBHE of the NOJ President on the Central Education Plan for 2025

¹⁸¹ Resolution 54.SZ/2025 (IX. 17.) OBHE of the NOJ President on the Central Education Plan for 2026

are typically trained and socialised within the judicial organisation, making compulsory training important. According to the plan, court executives participate in leadership training; according to the latest report¹⁸² of the NOJ President, in 2024, 97 regional court / regional court of appeal presidents and vice-presidents partook in such trainings, following previous year's 151 participants¹⁸³ representing the district courts.

It must be noted, however, that amidst the increasing chilling effect caused by political attacks and smear campaigns, judges are actively discouraged from seeking ways of professional development outside of the official organisational system. On 24 May 2025, Amnesty International Hungary held a judicial workshop on judicial independence and judges' freedom of expression.¹⁸⁴ Several court leaders¹⁸⁵ attempted to deter court staff from attending the event. Among them was the president of the Budapest Environs Regional Court, who "recommended" that all judges, court clerks and judge trainees of the court he leads refrain from attending the workshop. He claimed that participating would pose an "integrity risk".¹⁸⁶ This illustrates how judges may be deterred from engaging in a safe professional dialogue with their colleagues and international experts on legal subjects crucial for their professional development.

Another difficulty of participating in independent training courses or conferences might be that if the event overlaps with the working hours of the judge, they cannot attend without prior authorisation of their principal or without taking off the day at the expense of their paid leaves.

14. Digitalisation

As also pointed out in the 2025 Rule of Law Report, Act XLIX of 2025 on the Amendment of Justice-related Laws introduced, as of 1 January 2026 the online streaming of court hearings for pre-registered members of the audience in most civil and criminal cases.¹⁸⁷

As described under Question I.2., the adoption of the law was not preceded by meaningful professional and societal consultation, however, the NJC,¹⁸⁸ the Res Iudicata Association¹⁸⁹ of judges as well as individual judges sending their comments to the Hungarian Association

¹⁸² Az Országos Bírósági Hivatal elnökének 2024. évi beszámolója [Report of the President of the National Office for the Judiciary for 2024], <https://www.parlament.hu/irom42/12831/12831.pdf>, p. 69.

¹⁸³ Az Országos Bírósági Hivatal elnökének 2023. évi beszámolója [Report of the President of the National Office for the Judiciary for 2023], <https://www.parlament.hu/irom42/09608/09608.pdf>, p. 68.

¹⁸⁴ Amnesty International Hungary, *Nyomásgyakorlás ellenére is sikeres workshop a bírói véleménynyilvánítás szabadságáról* [Workshop on judicial freedom of expression succeeds despite pressure], 8 June 2025, <https://www.amnesty.hu/nyomasgyakorlas-ellenere-is-siker-es-workshop-a-biroi-velemenynyilvanitas-szabadsagarol/>

¹⁸⁵ Only one of these examples was made public, but Amnesty International Hungary has knowledge of more instances from judges attending.

¹⁸⁶ See: <https://www.szabadeuropa.hu/a/egy-torvenyszeki-elnok-nem-ajanlja-beosztottjainak-a-reszvetelt-egy-biroi-szolasszabadsagrol-szolo-workshopon-/33420247.html>.

¹⁸⁷ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 10.

¹⁸⁸ See the opinion of 22 April 2024 on the draft law by the NJC at: <https://obt-jud.hu/hu/igazsagugyi-targyu-torvenyek-modositasrol>.

¹⁸⁹ See the opinion of 22 April 2024 on the draft law by the Res Iudicata Association at: <https://resiudicata.hu/tervezetre-adott-velemenyt/>.

of Judges¹⁹⁰ managed to formulate opinions and suggestions regarding the draft law even in the restricted time at their disposal.

They all warned about similar problems, including the significant increase in judges' and judicial staff's workload stemming from the obligation to administer the requests and registration from persons wishing to follow hearings online; the difficulties this may cause in the judges' ability to guarantee the right to fair trial (including trial within a reasonable time); and the risks stemming from the fact that it will become impossible to effectively monitor and control who are following the hearing online (e.g. potential future witnesses), and whether any unauthorised and/or manipulated recordings are made and disseminated to the general public or persons having an interest in the outcome of a case.

It was also raised that it would be impossible to assess in advance when the limitation or exclusion of online publicity would become necessary, or when a piece of information will be shared the online dissemination of which may threaten the success of the evidentiary process or pose a risk of very sensitive personal information becoming accessible for an uncontrollable number of people.

From the point of view of the timeliness and the administrative workload of the judges, it was deemed particularly problematic that under Article 438/G of Act XC of 2017 on the Code of Criminal Procedure, the defence, the prosecution, or any other person present at the hearing have the right to be acquainted with the names and shown the facial photograph of the online audience and to file a motion for the exclusion of certain members of the audience or the full exclusion of online participation. It was pointed out that in the case of potentially 100 people, it may take hours to comply with this obligation and to make a decision about each and every motion for exclusion.

However, these problems remained largely unaddressed, and were inserted into the respective procedural laws without a due consideration of those who will be responsible for the implementation.

Other problems raised in our 2025 contribution¹⁹¹ persist including the strong institutional push from the National Penitentiary Administration for remote hearings due to cost-efficiency considerations, failing to consider how a fair balance could be struck between practical benefits on the one hand and fair trial rights on the other.

Although lawyers have devised practical solutions to navigate the challenges of remote hearings, the inability to build trust in remote consultations and technical shortcomings during hearings hinder effective defence. In a research¹⁹² carried out by the Hungarian Helsinki Committee in the framework of the EU-funded project *"DigiRights – Digitalisation of defence*

¹⁹⁰ See the opinions compiled by the Hungarian Association of Judges on the draft law at:

<https://www.mabie.hu/hirek/az-igazsaguegyi-targyu-toervenyek-modositasa>.

¹⁹¹ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HUN_CSO_contribution_EC_RoL_Report_2025.pdf, pp. 27–29.

¹⁹² Results of the research were published in the following report: András Kádár – Tünde Komoróczy – Lili Krámer – Róbert Pócsa, *The digitalisation of defence rights in criminal proceedings (DigiRights) – Hungarian National Report*, 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/05/HHC_DigiRights-HU_National_report_FIN_010724.pdf.

rights in criminal proceedings”,¹⁹³ lawyers and judges expressed concerns about the confidentiality and reliability of communication systems, particularly within penitentiaries.

The remote nature of hearings may impair direct evidence perception and can also affect the ability of vulnerable individuals such as those with disabilities or elderly people to effectively participate in the proceedings. The digital vulnerability of individuals with limited technological skills or special needs also needs addressing.

The research shows significant challenges regarding remote interpretation in criminal proceedings. While the law permits remote hearings with interpreters via telecommunication, regulations on AI-assisted document translation are not in place. Interviews revealed concerns about technical limitations, the confidentiality of interpreted client-attorney consultations when the defendant, the lawyer and the interpreter are not in the same place, and the quality of interpretation.

Challenges such as the stakeholders’ often inadequate digital competence persist. Judges and prosecutors do not receive effective training in this regard, and professional guidelines that could systematically ensure the fairness of the procedure are missing.

The absence of adequate training and of assistance during the hearings is also likely to create problems regarding the online streaming of hearings, however, since the pertaining legislation came into effect only on 1 January 2026, no practical experience is available as to how the new legislation will be implemented and how the judiciary can address the foreseeable difficulties in practice.

15. Use of assessment tools and standards

(1) As regards case allocation at the Kúria, previous concerns included in our 2024¹⁹⁴ and 2025¹⁹⁵ contributions still apply: the existence of an electronic system adequately guaranteeing the automated case allocation without human intervention is still questionable.

(2) Similar to the research conducted by the Hungarian Association of Judges in 2023 and published in June 2024,¹⁹⁶ which found that there is a chilling effect and self-censorship amongst Hungarian judges,¹⁹⁷ the results of the 2025 European Network of Councils for the Judiciary (ENCJ) survey¹⁹⁸ on the independence of the judiciary also underline significant

¹⁹³ Project number: 101056667, project website: <https://www.digirights.net/>.

¹⁹⁴ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 10.

¹⁹⁵ Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, p. 29.

¹⁹⁶ Hungarian Association of Judges, *Kutatási jelentés a magyar bírák véleménynyilvánítási szabadságával kapcsolatos egyes kérdésekről* [Research report on certain issues relating to the freedom of expression of Hungarian judges], November–December 2023, https://mabie.hu/attachments/article/1801/Kutatasi_jelentes_B.pdf. For an unofficial English translation of the research report, see: https://helsinki.hu/wp-content/uploads/2025/01/Kutatasi_jelentes_B_en-1.pdf.

¹⁹⁷ See our summary here: Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, p. 29.

¹⁹⁸ European Network of Councils for the Judiciary, *ENCJ Survey among judges on the Independence of the Judiciary 2025*, 2025, https://pgwrk-websitemedia.s3.eu-west-1.amazonaws.com/production/pwk-web-encj2017-p/Report%20ENCJ%20Survey%20on%20Independence-compressed_0.pdf.

concerns regarding the Hungarian environment in which judges perform their duties. Around 40% of Hungarian judges took part in the research conducted in 30 countries. 16% of Hungarian respondents reported that their decisions or actions have been directly affected by a claim, or a threat of a claim for personal liability, while 38% believed that judicial decisions have been inappropriately influenced by actual or anticipated actions of the media. Hungarian judges were the most likely (30%) in Europe to detect abuses in the allocation of cases. They were also the least convinced that initial judicial appointments (23%) and subsequent promotions (22%) were based solely on merit (ability and experience) – a perception that was even weaker regarding the Kúria, where only 11% agreed. When asked about what recent changes influenced negatively their independence, pay, pension and retirement age (73%, the highest European score), court resources (57%) and conduct at work (13%) comparatively stood out as contributing factors. A clear majority of Hungarian judges (68%, the highest European score) stated that the Government had not respected judicial independence, while they were also the most likely to doubt that the council for the judiciary (26%), their court management (19%), the supreme court (34%) or the Parliament (62%) had respected their independence. In terms of judges' perceptions of judicial independence, Hungary ranked third from the bottom. The research also shows declining confidence in the NJC as an effective guardian of judicial independence: while 35% expressed such confidence in 2022, only 25% did so in 2025.

The Kúria President expressed his concerns regarding the methodology of the research in a letter on 28 May 2025,¹⁹⁹ which was answered by the President of the ENCJ on 4 September 2025.²⁰⁰

(3) Annual reports²⁰¹ on judicial administration containing statistical data by the NOJ President get published with a considerable delay: it was only in October 2025 that the NOJ President's annual report²⁰² for 2024 was made public, although the Parliament still has not approved it.²⁰³ The report of the Kúria President for 2024²⁰⁴ was submitted in April 2025 but is not yet approved by the Parliament.²⁰⁵

(4) The publication of the detailed minutes of NJC meetings uniquely contributes to the transparency of court administration, however, the law²⁰⁶ still only prescribes the publication of a summary of the minutes of the NJC meetings, not the minutes themselves, which is only

¹⁹⁹ See: https://kuria-birosag.hu/sites/default/files/sajto/dr_varga_zs_andras_levele_az_encj_elnokenek_angol.pdf.

²⁰⁰ See: <https://obt-jud.hu/sites/default/files/sajtokozlemenyek-mellekletek/ENCJ-response-to-the-President-of-the-Curia-ENG.pdf>.

²⁰¹ Data in the reports cover themes such as caseload, arrival and termination of cases, timeliness, soundness of the judgments, efficiency, the changes of laws affecting courts' operation, human resources, composition of the judiciary, judicial career, material resources, management of the judicial organisation, disciplinary proceedings, education, and functioning of the NOJ.

²⁰² *Az Országos Bírósági Hivatal elnökének 2024. évi beszámolója* [Report of the President of the National Office for the Judiciary for 2024], <https://www.parlament.hu/irom42/12831/12831.pdf>

²⁰³ See parliamentary submission [H/13182](#).

²⁰⁴ *A Kúria elnökének országgyűlési beszámolója a Kúria 2024. évi tevékenységéről a jogegység biztosítása és az önkormányzati normakontroll körében* [Parliamentary report of the Kúria President on the activities of the Kúria in 2024 in the field of ensuring legal unity and the judicial review of local government norms], <https://www.parlament.hu/irom42/11452/11452.pdf>

²⁰⁵ See parliamentary submission [H/12746](#).

²⁰⁶ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 108

made available due to the NJC's choice and practice. This provides much needed transparency over the central court administration and the Kúria administration.

(5) As regards court statistics and their transparency, there are Excel sheets available online containing some aggregated data about the number of cases at each regional court, regional court of appeal and at the Kúria. The latest report is available for the first half of 2025²⁰⁷ and includes the number of case arrivals, the number of concluded cases and the number of pending cases. Similarly to previous years, it still does not provide, however, separate data for the specific district courts. A detailed analysis is also available on the NOJ website about case numbers.²⁰⁸

(6) The report from the Kúria President about his practice for appointing judges and court leaders in 2024 – a report that the NJC supported in its opinion in October 2025²⁰⁹ – has not been made available to the public. Neither have the reports from the NOJ President about his practice for appointing judges and court leaders in 2024 been made available to the public, although the NJC supported the reports in its opinion in October 2025.²¹⁰ Moreover, according to the law,²¹¹ the NOJ President is obliged to inform the NJC about its activities every half a year in line with the structure prescribed by the NJC. The NJC approves the NOJ President's such reports with a considerable delay (the report concerning the first half of 2024 only on 19 February 2025,²¹² the report concerning the second half of 2024 only on 1 October 2025²¹³), but the recent approval of the report for the first half of 2025 on 3 December 2025²¹⁴ shows relative improvement in this regard. Moreover, these reports are not available to the public, either. At its 14 January 2026 meeting, the NJC extended the criteria on the structure of the NOJ President's half-year report and determined the submission deadline.²¹⁵

16.²¹⁶ Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation

Concerns articulated in our 2024²¹⁷ and 2025 contributions²¹⁸ – including centralisation and the Kúria's uniformity complaint chamber (see also Question IV.11.) – still remain.

²⁰⁷ NOJ, *A bírósági ügyforgalom 2025. I. féléves adatai* [Court case flow data for the first half of 2025], <https://birosag.hu/ugyforgalmi-adatok/birosagi-ugyforgalom-2025-i-feleves-adatai>

²⁰⁸ NOJ, *Ügyforgalmi elemzés – 2025. I. félév* [Analysis of court case flow data – first half of 2025], https://birosag.hu/sites/default/files/2025-10/ugyforgalom_2025.felev_.pdf

²⁰⁹ Resolution 125/2025. (X. 1.) OBT of the NJC

²¹⁰ Resolutions 123/2025. (X. 1.) OBT and 124/2025. (X. 1.) OBT of the NJC

²¹¹ Act CLXI of 2011 on the Organisation and Administration of Courts, Article 76(8)(a)

²¹² Resolution 14/2025. (II. 19.) OBT of the NJC

²¹³ Resolution 122/2025. (X. 1.) OBT of the NJC

²¹⁴ Resolution 159/2025. (XII. 3.) OBT of the NJC

²¹⁵ Since the minutes of the meeting are yet to be published, details of the resolution are unknown. See the summary of the 14 January 2026 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Osszefoglalo_2026.01.14.pdf, point 24.

²¹⁶ Note that no response was provided to Question I.17. on "Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases".

²¹⁷ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 30–31.

²¹⁸ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS_O_contribution_EC_RoL_Report_2025.pdf, p. 30.

The geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation was not modified in 2025. The structural changes envisaged by the November 2024 quadrilateral “Agreement” between the Government and judicial leaders remain undefined²¹⁹ and no information on future legislative plans are publicly available.²²⁰

The idea of “delocalising” district court judges²²¹ within the jurisdiction of regional courts as circuit judges did not publicly resurface in 2025.

The “Agreement” also envisaged²²² companies’ and other legal entities’ registration to be transferred from the courts to public administration. Two Acts of Parliament²²³ adopted in June 2025 will realise this concept [also with regard to civil society organisations (CSOs) – see Question IV.16.], with entering into force in 2027. According to these laws, however, registration of certain legal persons, including parties and churches,²²⁴ will remain at courts.

C. Efficiency of the justice system

18. Developments related to efforts to improve the efficiency of the justice system [single market relevance]

As reported in our previous contributions, with a view to the pilot judgment of the European Court of Human Rights (ECtHR) of 2015 in the *Gazsó v. Hungary* case²²⁵ concerning the excessive length of judicial proceedings, the Parliament introduced a compensatory (financial) remedy for the excessive length of certain proceedings as of 1 January 2022.²²⁶

However, the remedy was introduced only for excessively lengthy civil law trial cases. Thus, no compensatory remedy is available for protracted administrative court procedures, criminal

²¹⁹ The wording of the “Agreement” is very abstract in this regard: “*The Parties agree that in order to maintain the varying workloads of the courts and to maintain the high quality of judgments, it is necessary to review the functioning and organisation of the courts [...]*.” See: *Az Igazságügyi Minisztérium, a Kúria, az Országos Bírósági Hivatal és az Országos Bírói Tanács közti megállapodás [Agreement between the Ministry of Justice, the Kúria, the National Office for the Judiciary and the National Judicial Council]*, 22 November 2024, https://obt-jud.hu/sites/default/files/sajtokozlomenyek-mellekletek/Agreement_Nov-22-2024.pdf, Section III.4.

²²⁰ At the 20 November 2024 meeting of the NJC, an NJC member referred to another draft government plan – not available to the public – that envisaged the merger of regional courts of appeal. See the minutes of the 20 November 2024 meeting of the NJC, https://obt-jud.hu/sites/default/files/ulesek/Jegyzokonyv_2024.11.20.pdf, p. 27.

²²¹ The “Agreement” put forth the concept of broadening the jurisdiction of district court judges to the entirety of the regional court they operate under. See: *Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report*, January 2025, https://www.amnesty.hu/wp-content/uploads/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, p. 31.

²²² “[I]n order to reduce administration and strengthen the substantive work of the judiciary, in addition to creating an information technology background, the court’s decisions on the registration of companies and other legal entities that are simple or can be automated should be transferred to administrative channels [...].” See: *Az Igazságügyi Minisztérium, a Kúria, az Országos Bírósági Hivatal és az Országos Bírói Tanács közti megállapodás [Agreement between the Ministry of Justice, the Kúria, the National Office for the Judiciary and the National Judicial Council]*, 22 November 2024, https://obt-jud.hu/sites/default/files/sajtokozlomenyek-mellekletek/Agreement_Nov-22-2024.pdf, Section III.4.f.

²²³ Act LIX of 2025 on the Registry of Legal Persons; Act LX of 2025 on Certain Judicial Procedures Related to Legal Entities and on Voluntary Liquidation

²²⁴ Act LX of 2025 on Certain Judicial Procedures Related to Legal Entities and on Voluntary Liquidation, Article 4

²²⁵ Application no. 48322/12, Judgment of 16 July 2015

²²⁶ Act XCIV of 2021 on the Enforcement of Pecuniary Satisfaction Relating to the Protractedness of Civil Contentious Proceedings

proceedings, non-contentious (non-trial) procedures (e.g. enforcement proceedings) or constitutional reviews.²²⁷ In 2024, Committee of Ministers of the Council of Europe issued an interim resolution,²²⁸ the fourth in the case, condemning the lack of progress. However, no legislative steps have been taken subsequently either to address deficiencies. In March 2025, the Committee of Ministers issued a decision²²⁹ in which it “*reiterated their profound concern about the continued lack of any development*” regarding “*the outstanding issue of compensatory remedy in respect of excessively long criminal, administrative, and non-contentious civil proceedings*”, and underlined “*the urgent need for progress demonstrated by the continuously high influx of cases*” to the ECtHR.

The compensation scheme introduced in civil lawsuits was found satisfactory by the ECtHR in 2023 in the *Szaxon v. Hungary* case,²³⁰ which led the Committee of Ministers to end its supervision in respect of contentious civil proceedings.²³¹ However, concerns in relation to the scheme²³² remain. These include that the law determines the durations that are regarded as excessive, but these are more lenient vis-à-vis the courts than the ECtHR jurisprudence or the time periods that the NOJ uses²³³ when analysing the performance of courts. Courts can deviate from the default rule and determine a shorter/longer length of time that counts as reasonable in a specific case, but the criteria for doing so are not specified by the law. The amount of pecuniary satisfaction is arguably insufficient, HUF 400 (€ 1) per day.²³⁴

As of August 2025, Act XLIX of 2025 on the Amendment of Justice-related Laws (i.e. the bill regarding which the consultative rights of the NJC were only formally complied with – see Question I.2.) introduced an additional, automatic *ex officio* financial compensation mechanism for parties in civil and administrative proceedings whenever courts exceed statutory procedural deadlines (e.g. for setting the date of a hearing, or putting a judgment into writing). This new obligation applies without exception and without any possibility of justification for the delay even when caused by objective circumstances. In view of the compensation mechanism introduced in 2022 in relation to civil lawsuits (triggered by the parties’ complaint), the rationale of the new legislation is unclear, while it has potentially negative impacts on the functioning of courts: with the labour shortage, it can be predicted that there will be delays, putting an additional financial burden on the courts even in cases where the clients would not request a compensation, whereas the administration of the payments puts additional administrative burden on those parts of the court system that are already stretched thin.

The new automatic compensation regime also risks creating indirect pressure on judges. Court leaders are legally responsible for ensuring the timely administration of justice, and the

²²⁷ See also: CM/Notes/1419/H46-15,

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680a48aca, footnote 9.

²²⁸ CM/ResDH(2024)119, 13 June 2024, <https://search.coe.int/cm/eng?i=0900001680b05d03>

²²⁹ CM/Del/Dec(2025)1521/H46-17, 6 March 2025, <https://search.coe.int/cm?i=09125948802643b2>

²³⁰ Application no. 54421/21, Judgment of 30 March 2023

²³¹ CM/Del/Dec(2023)1468/H46-13, 7 June 2023, <https://search.coe.int/cm?i=091259488025b326>

²³² For details, see: *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/01/HUN_CS0_contribution_EC_RoL_Report_2024.pdf, p. 32.

²³³ See e.g.: <https://birosag.hu/ugyforgalmi-adatok/reszletes-elemzes-2024-i-felevi-birosagi-ugyforgalomrol>, p. 175.

²³⁴ Government Decree 372/2021. (VI. 30.) on the Amount of Pecuniary Satisfaction for Protraction in Civil Contentious Proceedings and the Rules for Calculating the Amount to be Paid, Article 1(2)

threat of automatic payments affecting the court's budget may prompt them to place pressure on individual judges to accelerate adjudicatory work, further exacerbating already present²³⁵ inappropriate pressure to increase the number of timely adjudicated cases. Repeated delays may expose judges to administrative steps, internal inquiries, or even disciplinary proceedings.²³⁶ Where judges feel compelled to prioritise speed to avoid institutional or personal consequences, parties may reasonably question whether rapid decision-making compromises the quality, depth, and independence of judicial reasoning. Even the appearance that administrative or budgetary considerations might influence the outcome of a case can erode public trust and undermine the core of judicial independence. Although compliance with statutory deadlines is essential to the functioning of the justice system, the newly introduced automatic payment mechanism goes beyond the legitimate objective of addressing procedural delays, and places additional financial strain on the judiciary²³⁷ (cf. Question I.12.).

According to court statistics, by the end of June 2025 the number of protracted litigation cases (i.e. cases that have been pending for more than two years in courts of first instance, more than one year in court of second instance regional courts, and more than six months in regional courts of appeal) increased by 16.4% nationwide compared to the end of the June 2024, but was 13.7% lower than at the end of June 2021.²³⁸

19. Any other developments related to the justice system

(1) The Constitutional Court's emerging practice when reviewing the constitutionality of ordinary court judgments remains to raise concerns.²³⁹ In general, the Constitutional Court had avoided to review the courts' adjudication in concrete details, e.g. their interpretation of the applicable laws,²⁴⁰ and only sets the constitutional boundaries for interpretation.²⁴¹ The Constitutional Court does not as a general rule act as a court of appeal or super-court, it annuls a judicial decision only if it violates a fundamental right. However, the Constitutional Court's jurisprudence²⁴² has changed in recent years and by 2025, it jeopardizes judicial independence, as follows.

²³⁵ According to a 2025 ENCJ survey, 24% of Hungarian respondents experienced inappropriate pressure exerted by the management of their court to reach production targets. See: European Network of Councils for the Judiciary (ENCJ), *ENCJ Survey among judges on the Independence of the Judiciary*, 2025, https://pgwrk-websitemedia.s3.eu-west-1.amazonaws.com/production/pwk-web-encj2017-Report%20ENCJ%20Survey%20on%20Independence-compressed_0.pdf, p. 86.

²³⁶ See the opinion of Res Iudicata Association of 6 October 2025: <https://resiudicata.hu/velemenya-vagyoni-elegtetel-fizetesi-kotelezettsegenek-bevezeteserol/>.

²³⁷ See the joint opinion of Amnesty International Hungary and the Hungarian Helsinki Committee on the draft law, submitted on 25 April 2025 in the framework of the public consultation: https://helsinki.hu/wp-content/uploads/2025/04/igazsagugyi_torvenycsomag_tarsadalmi_konzultacio.pdf.

²³⁸ See: https://birosag.hu/sites/default/files/2025-10/ugyforgalom_2025.felev_.pdf, pp. 18–20. and 171–225.

²³⁹ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2024, <https://www.amnesty.hu/hungarian-csos-contribute-to-the-european-commissions-2024-rule-of-law-report/>, p. 23.

²⁴⁰ See lately: Resolution 3534/2023. (XII. 14.) AB, paragraphs [16]–[17]; Resolution 3542/2023. (XII. 21.) AB, paragraph [22].

²⁴¹ See lately: Resolution 3509/2023. (XII. 1.) AB, paragraph [16].

²⁴² See: Decision 20/2017. (VII. 18.) AB, Decision 23/2018. (XII. 28.) AB, Decision 33/2021. (XII. 22.) AB, Decision 5/2022. (IV. 14.) AB, Decision 20/2023. (VIII. 7.) AB, Decision 3/2024. (I. 25.) AB, Decision 3355/2024. (X. 8.) AB, Decision 7/2025. (VII. 24.) AB, Decision 3426/2025. (XII. 15.) AB.

The Constitutional Court is empowered to review whether a judicial decision violated the rights guaranteed by the Fundamental Law of Hungary.²⁴³ However, the Constitutional Court arbitrarily extends this jurisdiction by examining whether, *“in the application of the law, the ordinary court considered the purpose of the legal regulation to the constitutionally required extent”*.²⁴⁴ The Constitutional Court justifies this expansion by incorporating Article 28 of the Fundamental Law²⁴⁵ – an interpretive provision not classified as a fundamental right – into its conception of the right to a fair trial.²⁴⁶ According to the Constitutional Court’s practice, if a judicial decision fails to consider or adequately consider the purpose of a legal regulation, it results in a violation of the right to a fair trial. If a court disregards the interpretative principles set out in Article 28 of the Fundamental Law, the resulting error of interpretation becomes unconstitutional.²⁴⁷

However, a divergence in the judicial interpretation of the purpose of the law, or the application of alternative interpretative methods by the courts does not inherently constitute a breach of the right to a fair trial. The interpretation of laws is the responsibility of the ordinary courts, while the Constitutional Court must interpret the Fundamental Law, which courts are obliged to follow. However, this does not justify the Constitutional Court interfering in judicial activities when alleged breaches of the law do not actually violate fundamental rights.

The Constitutional Court’s such practice does not align with the domestic and international legal interpretations of the right to a fair trial and opens the door to arbitrary proceedings. By treating any judicial interpretation of statutory provisions as opposing teleological interpretation, the Constitutional Court breaks its jurisdictional limits: it not only conducts constitutional review but it also engages in legality review as a de facto fourth instance court, thereby going beyond its legal authority. This line of reasoning is most often applied in politically sensitive cases,²⁴⁸ yet, it is entirely unpredictable when the Constitutional Court will act as a de facto fourth-instance court by conducting a review of legality instead of a constitutional review.²⁴⁹

²⁴³ Act CLI on the Constitutional Court, Article 27

²⁴⁴ Decision 23/2018. (XII. 28.) AB, paragraph [24]

²⁴⁵ Article 28 of the Fundamental Law: *“In the course of the application of law, courts shall interpret the text of laws primarily in accordance with their purpose and with the Fundamental Law. In the course of ascertaining the purpose of a law, consideration shall be given primarily to the preamble of that law and the justification of the proposal for, or for amending of, the law. When interpreting the Fundamental Law or the laws, it should be presumed that they serve moral and economic purposes that are in accordance with common sense and the public good.”*

²⁴⁶ Decision 23/2018. (XII. 28.) AB, paragraph [26]. The Constitutional Court does not consider Article 28 to be a fundamental right. Decision 23/2018. (XII. 28.) AB, paragraph [18]; Decision 5/2022. (IV. 14.) AB, paragraph [50].

²⁴⁷ Decision 33/2021. (XII. 22.) AB, paragraph [30]; Decision 3426/2025. (XII. 15.) AB, paragraph [32]

²⁴⁸ Examples for this tendency include the following Constitutional Court decisions. In Decision 33/2021. (XII. 22.) AB, based on a constitutional complaint lodged by the Government, the Constitutional Court annulled a ruling of the Kúria that prohibited holding a referendum on a question whether sex change operations should be allowed for children. In Decision 3130/2022. (IV. 1.) AB, again on the basis of a constitutional complaint of the Government, the Constitutional Court annulled a ruling of the Kúria which found that the Government violated the fairness of the elections by sending a newsletter to citizens who had earlier registered for COVID-19 vaccinations. In Decision 20/2023. (VIII. 7.) AB and Decision 21/2023. (VIII. 7.) AB, the Constitutional Court annulled two rulings of the Kúria which allowed referendums on questions concerning public education. In Decision 24/2024. (XII. 30.) AB, the Constitutional Court annulled a ruling of the Kúria, which this time allowed to hold a referendum on whether Budapest should submit an application to host the 2036 Olympic Games. In Decision 7/2025. (VII. 24.) AB, the Constitutional Court annulled a ruling of the Kúria, which allowed a referendum on the verification of politicians’ asset declarations.

²⁴⁹ Decision 3002/2025. (I. 21.) AB of the Constitutional Court

(2) In relation to judicial freedom of expression, it is worth summarising the lawsuits concerning the Kúria President's individual measures sanctioning criticism.

In addition to the case described under Question I.3., the Kúria President also subjected Judge András Kovács to further proceedings. Preceding the extraordinary suitability assessment, an integrity procedure was launched against him in relation to his adjudicating activities and because he had sent the academic study (the publication of which was later banned by the President) to the editors of an academic journal. Furthermore, in September 2024, Judge Kovács received an employer's reprimand, because he had not requested the President's permission to participate in the public debate of one of his publications and failed to show up for his integrity hearing. Judge Kovács challenged the reprimand before the service court, which concluded in February 2025, that since Judge Kovács had been informed by the integrity officer that his presence was not mandatory at the hearing, Judge Kovács had not violated his obligation of cooperation. He was also under no obligation to request permission from the Kúria President to participate at an online conference. The Kúria President eventually withdrew the reprimand.²⁵⁰

X, a part-time senior scientific advisor was dismissed from the Kúria with immediate effect in October 2024, for making available an English-language manuscript to a very limited number of researchers at an academic workshop, because in the Kúria President's view, in the manuscript she *"made a number of worrying statements in relation to the Kúria and its President"*, which are *"likely to seriously damage the reputation of the Kúria as the highest judicial body and public confidence in the independent and impartial functioning of the judiciary"*. X challenged the dismissal, and in June 2025, the Labour College of the Metropolitan Regional Court concluded that her dismissal had been disproportionate and therefore unlawful, as she had acted in good faith with the motive to improve the situation of the judiciary, her communication concerned a matter of public interest and had not extended beyond *"self-constraint that can be expected in the academia"*.²⁵¹

²⁵⁰ For more details, see: Hungarian Helsinki Committee, *Attempts to silence judicial dissent in Hungary: the cases of Judge András Kovács and X, a senior scientific advisor at the Kúria*, 22 October 2025, <https://helsinki.hu/en/wp-content/uploads/sites/2/2025/10/Attempts-to-silence-judicial-dissent-in-Hungary.pdf>, pp. 1–6.

²⁵¹ For more details, see: *ibid.*, pp. 6–7.

II. ANTI-CORRUPTION FRAMEWORK

1. Information on measures taken to follow-up on the recommendations received in the 2025 Rule of Law Report regarding the anti-corruption framework

In the 2025 Rule of Law Report, the European Commission took note of Hungary's failure to comply with recommendations put forward in the 2024 Rule of Law Report, therefore, recommendations regarding both the anti-corruption framework and other dimensions of the Rule of Law Report were repeated. As a result, in the anti-corruption framework, two recurring recommendations remain. The Commission recommends Hungary to

- put forward comprehensive legislative reforms on lobbying and revolving doors, and further improve the system of asset declarations, providing for effective oversight and enforcement, and
- establish a robust track record of investigations, prosecutions and final judgments for high-level corruption cases.

As in previous years, Hungary made no progress in either of the above fields. Even though the National Anti-Corruption Strategy foresaw the adoption of Hungary's new law on lobbying and on the revolving door phenomenon by 30 November 2025, no legislative proposal was made public.

As far as the recommendation relating to investigation and prosecution of corruption, as well as conviction of corrupt perpetrators, the prosecution service keeps on contesting the concept of "high level corruption", emphasising that criminal law provisions do not distinguish between different forms or manifestations of corruption based on the suspected perpetrators' seniority or political embeddedness and anti-corruption regulations are implemented rigorously and without bias. However, experience does not support this argument. For example, the most significant corruption case in 2025 was related to the suspected misappropriation of approximately HUF 266 billion (€ 0.6 billion) in public money through a network of foundations endowed by Hungary's Central Bank during the term of the bank's previous Governor, György Matolcsy and persons belonging to his closest vicinity, including his son, Ádám Matolcsy by the employment of a non-transparent investment scheme comprising of corporations and shady private equity funds. Despite the opening of a criminal investigation on 22 January 2025 in response to a criminal complaint submitted by the State Audit Office (SAO), the police were unable to uncover the details of this suspected criminal offence, and the Central Bank's previous Governor, supposedly the chief orchestrator of these conducts, was not interrogated,

neither were taken any criminal procedure measures to secure recovery of misappropriated assets, e.g.: freezing of bank accounts or seizure of property.²⁵²

Investigation and prosecution of corruption or related offences tend to be protracted or halted in other high-level cases, too. For instance, it took almost three years for the authorities to interrogate the suspected perpetrator of subsidy fraud, a mayor belonging to Hungary's governing Fidesz party when the suspected offence occurred, in the case of the infamous canopy trail project, where the forest around the walkway was cut clear.²⁵³

A. The institutional framework capacity to fight against corruption

2. Changes as regards relevant authorities in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities, including the cooperation among domestic and with foreign authorities

Concerns identified in our previous contributions prevail. The anti-corruption framework remained fragmented without a single agency empowered to lead or effectively coordinate the work of numerous stakeholders. The Integrity Authority did not become the lead actor of the anti-corruption arena, to the contrary, it lacks the necessary capacity and authorisation. The National Protective Service, once a key anti-corruption agency, has, since 2022, lost significant parts of its jurisdiction, and even though on paper it is still tasked with the coordination of the Government's anti-corruption policies, its impact and visibility has shrunk. The competence to conduct reliability screenings was divided in 2022 between the National Protective Service and the Constitution Protection Authority, a national security agency. This not only failed to improve the efficiency of the fight against corruption, but as a result of the expansion of the clandestine services' anti-corruption portfolio, national security considerations resulting in secrecy prevent accessibility of information relating to the Government's anti-corruption activities.

By now it is clear that the elements of the anti-corruption framework introduced in 2022 to meet EU standards, such as the Integrity Authority, the Directorate for Internal Audit and Integrity (DIAI), the Anti-Corruption Task Force (ACTF) and the redesigned Directorate General for Audit of European Funds failed to meaningfully contribute to the containment of high-level government corruption. These institutions not only lack adequate jurisdiction, but in most cases, they do not incline to combat wrongdoing or to challenge other agencies for their misdeeds and omissions in the fight against wrongdoing.

²⁵² Transparency International Hungary, A Transparency International Magyarország ismét feljelentést tett az MNB alapítványai ügyében [Transparency International Hungary to submit crime report for a second time in relation to the foundations endowed by Hungary's Central Bank], 8 April 2025, <https://transparency.hu/hirek/mnb-ujboli-feljelent-es/#:~:text=A%20Transparency%20International%20Magyarorsz%C3%A1q%20ism%C3%A9t%20feljelent%C3%A9st%20tett.sz%C3%A1moltass%C3%A1k%20el%20a%20Magyar%20Nemzeti%20Bank%20alap%C3%ADtv%C3%A1nyai>

²⁵³ See the press release by OLAF of 8 January 2026: https://anti-fraud.ec.europa.eu/media-corner/news/olaf-investigation-uncovered-misuse-rural-development-funds-hungary-2026-01-08_en?prefLang=hu and the statement by Hungary's prosecution service of 8 January 2026: <https://ugyeszseg.hu/gyanusított-kent-hallgattak-ki-az-un-lombkoronasetany-ugyben-a-volt-polgarmestert/>.

The Integrity Authority's budget for the year 2025 remained HUF 19 billion (€ 46 million), and it employs over 130 individuals. The Integrity Authority's budget is projected to decrease by 26.2% to HUF 14.2 billion (€ 34 million) in 2026, a reduction reflecting consistent underspending and the abandonment of plans for a dedicated headquarters.²⁵⁴

The Government fails to propose the necessary regulatory amendments needed to secure a dedicated budget for the ACTF, nor is it realistic to expect that government members in the ACTF will enable a successful contribution to the fight against corruption. As a result, the ACTF fails to exhaust its powers, which, although vaguely defined, would still enable a more proactive stance in order to expose corrupt practices and inadequate responses by the Government. Due to more disciplined coordination on behalf of state representatives, who are primarily inclined to prevent meaningful actions and critical conclusions that could embarrass the Government's anti-corruption performance, and to the lacking unanimity of civil society members, the ACTF is unable to carry out its mission. An outstanding example of this approach relates to legal reforms believed necessary to foster the ACTF's functionality. Albeit ACTF members' unanimous support, the government fails to initiate relevant legal amendments, claiming that in lack of the European Commission's consent, the underlying legal framework cannot be changed.

The ACTF failed to adopt its 2024 annual report following a breakdown in consensus-building that persisted despite postponing the statutory voting deadline from 15 March to 30 April 2025. The deadlock stemmed from a fundamental disagreement over the report's content: state delegates produced a unilateral draft that omitted specific high-profile corruption cases and minimised the systemic nature of corruption, characterising the civil society members' insistence on including scandals such as the Elios case or ventilator procurements as unacceptable "political statements". Conversely, civil society delegates rejected the report's version as proposed by state delegates for presenting a distorted reality that ignored the severity of corruption in Hungary.²⁵⁵ The stalemate was finalised during the April vote when neither the state nor the civil society draft secured a majority, a result solidified by the abstention of the Integrity Authority's President, who declined to cast a deciding vote on the grounds that the Authority performs only administrative duties and does not comment on the report's content.²⁵⁶

Not entirely unrelated to these trends, the ACTF decided to downscale the scope of its annual report on corruption for the year 2025, which is envisioned to solely focus on the issue of anti-corruption education and abandon topics covered in annual reports of previous years such as public tendering, public procurement processes, criminal prosecution of corrupt conducts and access to information. On a more positive note, the Integrity Authority attempts to increase

²⁵⁴ See Bill T/11864 on the Central Budget of Hungary for 2026, Chapter Justifications Volumes I and II (<https://www.parlament.hu/irom42/11864/11864KIEGSZ002.pdf> and <https://www.parlament.hu/irom42/11864/11864KIEGSZ003.pdf>) and the Integrity Authority's 2024 annual report to the Parliament: <https://integritashatosag.hu/wp-content/uploads/2025/05/integrity-authority-hungary-2024-annual-report-to-the-parliament.pdf>.

²⁵⁵ See the press release of the civil society members of ACTF of 30 April 2025 here: https://transparency.hu/wp-content/uploads/2025/05/KEMCS_civil_sajtokozlemeney_20250502.pdf.

²⁵⁶ Minutes of the 30 April 2025 meeting of the ACTF, https://www.kemcs.hu/wp-content/uploads/2025/05/KEMCS_jegyzokonyv_20250430.pdf

efficiency by becoming more involved in the preparation of materials than before. All these indicate that from a practical perspective, the ACTF becomes growingly dormant.²⁵⁷

3. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

Concerns raised in our previous contributions still prevail. State institutions designed to represent democratic checks and balances are headed by political loyalists and tend to selectively enforce the laws or underuse their jurisdiction to condone corrupt practices of persons closely allied with the political leadership. The Integrity Authority's ability to effectively exercise its anti-corruption powers is still reliant on the cooperation of other state agencies, most of which are unwilling to live up to expectations. More alarmingly, even the Integrity Authority seems to underuse its jurisdiction and avoid politically sensitive incidents of corruption.

As a surprising exception, the SAO published three reports²⁵⁸ in March 2025, in which it concluded that the loss of approximately HUF 266 billion (€ 0.6 billion) in public money through a network of foundations endowed by Hungary's Central Bank during the term of the bank's previous Governor, György Matolcsy and persons belonging to his closest vicinity, including his son, Ádám Matolcsy results from the lack of due diligence and from the employment of a non-transparent investment scheme comprising of corporations and private equity funds. Previously, the Government denied malfeasance and intentionally omitted stopping or sanctioning the conducts concerned, even though these were widely discussed in public, due to extensive reporting by anti-corruption watchdogs and investigative journalists. Therefore, the SAO, by conducting a multiannual audit of the institutions concerned and publishing the conclusions, threw the Government's narrative into disrepute, which is absolutely unparalleled in the Orbán-era. Equally surprising was the reaction by the police to launch a criminal investigation, as the suspected misappropriation started in 2014, and the police and the prosecution service turned down criminal complaints submitted earlier by Transparency International Hungary in 2015, exhibiting no endeavour to contain the conducts concerned. However, the police proved unable or unwilling to take meaningful actions to uncover the suspected criminal offences, to recover misappropriated public assets and to hold the Central Bank's previous Governor and other wrongdoers accountable. The authorities' failure suggests that political capture of the police and the prosecution service remains tight and has devastating effects.

Political capture of the checks and balances system also manifested in the filling up of vacancies in the Constitutional Court, which interlinked with the replacement of the Prosecutor General and resulted in a carousel of appointments. Three vacant positions in the Constitutional Court were filled up in 2025 by the election of Péter Polt, previously Hungary's Prosecutor General between 2010 and 2025, Ákos Kozma, previous Commissioner for Fundamental Rights and Csaba Hende, deputy speaker of the house, all of them loyal

²⁵⁷ Anti-Corruption Task Force, *A Korruptióellenes Munkacsoport működésének megújítása. Összefoglaló jelentés [The renewal of the operations of the Anti-Corruption Working Group. Summary report]*, 2025, https://www.kemcs.hu/wp-content/uploads/2025/09/KEMCS_felulvizsgalat_jelentes.pdf

²⁵⁸ The reports no. 25035, 25036 and 25038 of 2025 are available on the SAO's subpage: <https://www.asz.hu/jelentesek>.

protagonists of the Orbán-government. Péter Polt was later elected President of the Constitutional Court. To replace Péter Polt, who actually resigned three years prior to the expiration of his mandate, his previous chief of cabinet, Bálint Gábor Nagy was elected Prosecutor General. On the one hand this indicates that the recruitment of key public functionaries is growingly reliant on loyalty and the Orbán-government tends to select replacements from among incumbent political appointees. On the other hand, it proves that the appointment procedure of key decision-makers lacks transparency and inclusiveness. This is most alarming in the case of the Prosecutor General, who can exert overwhelming impact on the performance of the prosecution service, a strictly hierarchical structure, which offers practically zero independence to subordinate prosecutors. The election of Hungary's new Prosecutor General down-scored the risks associated with the 14th Amendment to the Fundamental Law, adopted in December 2024, which opened the path for the position of the Prosecutor General to be filled by a non-prosecutor. Instead, Bálint Gábor Nagy, a sworn-in prosecutor was elected Prosecutor General. The correlation between these events can hardly be unseen. Péter Polt's resignation enabled the Orbán-government to elect a new Prosecutor General for a nine-year term before the 2026 election. Although he has been serving as the Prosecutor General since June 2025, Bálint Gábor Nagy has done nothing to improve the robustness and the credibility of the investigation into the supposed misappropriation of public funds from Hungary's Central Bank. This gives rise to concerns that the new Prosecutor General will act leniently, and that during his nine-year mandate ending in 2034, orchestrators and beneficiaries of corruption will not be prosecuted even in the case of a government change following elections in 2026.

4. Information on the implementation of measures foreseen in the strategic anti-corruption framework

The implementation of Hungary's strategic anti-corruption framework, primarily defined by the National Anti-Corruption Strategy (NACS) 2024–2025²⁵⁹ and its accompanying Action Plan of 58 measures, presents a stark contrast between formal administrative progress and substantive legislative failure. The framework is overseen by a Monitoring Committee and tracked via the Monitoring Supporting Matrix,²⁶⁰ which is updated quarterly. While this system provides a structured overview of the strategy's status, the 2025 Q3 assessment indicates that the implementation has become increasingly perfunctory, with a clear focus on "soft" measures that do not challenge the underlying status quo, while "hard" legislative milestones remain systematically blocked or hollowed out.

The most prominent failure in 2025 was the Government's abandonment of its commitment to adopt a comprehensive lobbying law. The proposed November 2025 deadline passed without even a draft proposal, leaving Hungary with minimal rules to govern the interaction between interest groups and decision-makers.

²⁵⁹ Government Resolution 1025/2024. (II. 14.) on the Adoption of the Medium-Term National Anti-Corruption Strategy for the period 2024–2025 and the Action Plan for its Implementation

²⁶⁰ Kormányzati Korrupciómegelőzési Portál, *Monitoring Támogató Mátrix 2025. III. negyedév [Monitoring Support Matrix 2025 Q3]*, 2025, https://korrupciomegelozes.kormany.hu/download/f/69/73000/Monitoring%20T%C3%A1mogató%C3%B3%20M%C3%A1trix%202025_III_negyed%C3%A9v.pdf

The reform of the asset declaration system, which was also a key requirement of the EU's conditionality mechanism and the Recovery and Resilience Plan (RRP) was also stalled. According to the NACS, foreseen measures (an introduction of a truly digitised asset declaration database and a new sanctioning regime) were to be adapted in spring 2024, but as of January 2026, they are indefinitely stuck in a "preparatory phase".

Similarly, the mandatory evaluation and review of the judicial review mechanism of previously halted criminal processes – originally intended as a key safeguard to allow public challenges to dismissed corruption cases – has completely stalled since its December 2023 deadline, remaining indefinitely blocked at the ministerial level to ensure that known procedural barriers, such as restricted casefile access and prohibitively short deadlines, remain uncorrected and the reform's intended impact is effectively neutralised.

The hollowing out of the NACS can be also exemplified by the Ministry of Justice's handling of the freedom of information reform: after missing its March 2024 deadline to outline a draft version of amendments to the freedom of information framework, later in the year, only superficial amendments of the framework were adopted. These amendments effectively disregarded the National Data Protection and Freedom of Information Authority's most substantive recommendations for legal changes – which were based on comprehensive research and surveys – and the Government reduced a critical reform into a "checkbox exercise".

The NACS also intended to address long-standing integrity gaps –including lobbying, gift policies, revolving doors, and conflict-of-interest risks – through the systematic adoption of ethical codes across the public sector. However, implementation followed a fragmented path: while administrative and judicial tiers, such as law enforcement, civil servants, and the Office of the Parliament, successfully updated their standards by 2025, the reform was hollowed out for those in the highest tiers of power.

The implementation of the NACS achieved its most tangible results in "soft" administrative and technical measures. Quantitatively, these represent the majority of the completed action points, including e. g. the rollout of specialised e-learning modules for public officials on whistleblowing, the update of the National Protective Service's training curricula or the Hungarian Export Promotion Agency's new requirement for exporters seeking state aid to possess a verified anti-corruption strategy. However, despite their numerical prevalence in the progress report, these measures lack any breakthrough significance in the fight against systemic or high-level corruption.

B. Prevention

5. Measures to enhance integrity in the public sector in particular as regards high-level officials

The NACS mandated the adoption of comprehensive ethical codes by 31 December 2024. As of the end of 2025, implementation in 2025 shows a clear divide between administrative staff and top-level decision-makers.

Successful updates were recorded for lower-level tiers. The police²⁶¹ and various law enforcement bodies²⁶² updated their ethical codes in late 2024. The Hungarian Corps of Government Officials approved its revised Code of Professional Ethics on 10 July 2025, incorporating rules on avoiding conflicts of interest and managing interactions with lobbyists.²⁶³ Similarly, the Office of the Parliament adopted an Ethical and Conduct Code for parliamentary civil servants, though it remains accessible only on internal networks.

The NJC fulfilled its task by reviewing gift-acceptance rules. On 1 October 2025, the NJC supported an amendment²⁶⁴ to clarify the recommendation of the NOJ President on gifts to avoid conflicting rules. However, the 2022 Judicial Code of Ethics remains legally paralyzed; the challenge brought by the Kúria President before the Constitutional Court has remained unresolved for over three years.²⁶⁵

Meanwhile, for those in the highest tiers of power, the reform was hollowed out. The December 2024 deadline for MPs was missed entirely, with no draft or conceptual plan produced for the legislature. For senior government officials, the commitment was reduced to a “checkbox exercise” via a narrow government decree on protocol gifts (in force since 1 January 2025).²⁶⁶ This decree is structurally toothless: it lacks enforcement mechanisms, ignores broader integrity risks like nepotism, and fails to address the “revolving door” phenomenon.

The lack of effective and comprehensive regulation of incompatibility rules is most visible in a sort of revolving door phenomenon, which has accelerated into a systemic carousel of high-level appointments. Senior officials frequently transition between the executive, the legislature, and supposedly independent oversight bodies without any cooling-off periods or substantive conflict-of-interest assessments. Notable instances in 2025 underscore this trend: Mihály Varga transitioned directly from his role as Minister of Finance to become the Governor of the Central Bank, while long-time Prosecutor General Péter Polt resigned three years before the end of his term and was subsequently elected as a Constitutional Court justice and soon after the President of the Constitutional Court. Perhaps most illustrative is the case of Csaba Hende, who moved directly from his position as a governing party MP and Chair of the Parliament’s Legislative Committee to the Constitutional Court, where he is now required to rule on the constitutionality of laws he personally helped draft. Furthermore, the re-appointment of Ferenc Papcsák to lead the Central Bank’s Supervisory Board – while he

²⁶¹ Hungarian Law Enforcement Chamber, *Rendvédelmi Hivatásetikai Kódex és a Magyar Rendvédelmi Kar Etikai Eljárási Szabályzata* [Law Enforcement Code of Professional Ethics and the Ethical Procedure Regulations of the Hungarian Law Enforcement Chamber], 26 November 2024, <https://www.rendvedelmikar.hu/letoltes/document/327.pdf>

²⁶² Police, *A Rendőri Hivatás Etikai Kódexe* [The Code of Ethics of the Police Profession], <https://www.police.hu/hu/a-rendorsegrol/testulet/altalanosan/a-rendori-hivatas-etikai-kodexe>

²⁶³ Hungarian Corps of Government Officials, *A Magyar Kormánytisztviselői Kar Hivatásetikai Kódexe* [The Code of Professional Ethics of the Hungarian Corps of Government Officials], 15 July 2025, https://corruptionprevention.gov.hu/download/9/9f/63000/Hivat%C3%A1setikai%20K%C3%B3dexFF_2025_07_15.pdf

²⁶⁴ Instruction 6/2016. (V. 31.) OBH of the NOJ President on the Integrity Policy, https://birosag.hu/sites/default/files/2024-02/integritasi_szabalyzat_0.pdf; Recommendation 2/2025. (XI. 5.) OBH of the NOJ President on the Amendment of Recommendation 3/2018. (VI. 26.) OBH of the NOJ President on the Procedural Rules for Handling Events that Violate Organisational Integrity for Regional Courts of Appeal and Regional Courts, https://birosag.hu/sites/default/files/2025-11/birosagi_kozlony_2025_10.pdf

²⁶⁵ Case II/01285/2022, <https://alkotmanybirosag.hu/ugyadatlap/?id=B1E83AFC8B10B1D2C125885B005B3B7E>

²⁶⁶ Government Decree 477/2024. (XII. 31.) on the Procedure to be Followed in Relation to Protocol Gifts

simultaneously benefits from a private healthcare business he used to co-own until March 2025 that capitalizes on public system weaknesses – highlights the absence of effective incompatibility safeguards. Ultimately, these movements reveal a system where political and institutional loyalty and the protection of the Government's interest is prioritised.

6. Measures to enhance general transparency of public decision-making

As previously noted, the flagship strategic commitment to adopt a comprehensive lobbying law by 30 November 2025 has been entirely abandoned, as the Government failed to produce even a draft proposal or establish a mandatory transparency register.

The Hungarian asset declaration system remains fundamentally unfit for its purpose, characterised by a deliberate subversion of transparency and a lack of substantive verification. While the Government claimed to fulfil its commitments to modernise the system, the implementation of “digitalisation” resulted in a single, non-searchable 2,000-page PDF file that effectively prevents automated data analysis or public oversight. This structural opacity is compounded by the absence of a dissuasive sanctioning regime; in 2025 alone, K-Monitor identified over 10 cases where MPs were simply allowed to “correct” their filings without consequence after omissions were exposed.²⁶⁷ The Integrity Authority remains unable to rectify these flaws as it is still denied the direct access to state databases required to cross-check self-reported information.

Amidst this general stagnation, the Government demonstrated its capacity for rapid legislative action when targeting political rivals, specifically the opposition leader and MEP Péter Magyar. In 2025, a new law was adopted requiring Hungarian MEPs to file domestic asset declarations, granting the National Election Office the power to investigate and potentially revoke mandates for inaccuracies.²⁶⁸ This reform is widely interpreted as a politically motivated tool for leverage rather than a genuine transparency initiative, as it imposes more stringent investigative consequences on MEPs than on domestic MPs. By selectively weaponizing these rules while maintaining a hollow framework for the ruling elite, the Government has further eroded the credibility of the national integrity system.

The political finance landscape in Hungary underwent a radical shift in June 2025 when the ruling coalition abolished long-standing legal limits on campaign spending for parliamentary elections.²⁶⁹ This change, passed in a snap vote just before the summer recess, removes one of the last formal constraints on political expenditure, institutionalising a structural asymmetry that heavily favours the governing party. While monitoring and transparency rules nominally remain, the ability to spend unlimited amounts – combined with the governing party's overwhelming access to state advertising and an aligned media ecosystem – ensures

²⁶⁷ K-Monitor, *Javítottuk 12 kormányzati vezető vagyonynyilatkozatát, Orbán Viktoré még várat magára* [We had the asset declarations of 12 government leaders corrected, Viktor Orbán's is still pending], 20 February 2025, https://k.blog.hu/2025/02/20/javittattuk_12_kormanyzati_vezeto_vagyonynyilatkozatat_orban_viktore_meg_varat_magara

²⁶⁸ Act XX of 2025 on the Amendment of Certain Acts of Parliament in connection with the Asset Declaration Obligation of Members of the European Parliament

²⁶⁹ Act LXVIII of 2025 on the Amendment of Act LXXXVII of 2013 on the Transparency of Campaign Costs for the Election of Members of Parliament

that the 2026 general election will likely be the most expensive and financially imbalanced in the country's history.

This imbalance is further reinforced by a “state-party hybrid model” that systematically leverages vast public resources for partisan gain. Tens of billions of forints from the national budget are deployed for “national consultations” (see Question IV.19.) and “government information” campaigns which mirror the governing party's strategic goals but do not appear on its official financial ledgers.

The transparency of the system is further compromised by the proliferation of “third-party actors” such as Megafon, Center for Fundamental Rights (Alapjogokért Központ) and the Civil Alliance Forum (Civil Összefogás Fórum), which campaign ostensibly independently but are tightly aligned with the governing party. This established ecosystem was visibly expanded in 2025 with the emergence of new, heavily-funded players, such as the National Resistance Movement (Nemzeti Ellenállás Mozgalma) and the Digital Civic Circles (Digitális Polgári Körök, DPK). These groups spend massive sums on digital mobilisation and negative advertising, yet their financial reports for the campaign period will only become public after the 2026 election.

Another component of this ecosystem is e.g. a public interest asset management foundation, Mathias Corvinus Collegium (MCC), which functions as an off-budget financial reservoir funded by approximately HUF 30 billion (€ 78 million) in annual dividends from formerly state-owned companies. In 2025, the MCC – chaired by the Prime Minister's political director and campaign manager, Balázs Orbán – acquired pro-government media portals, establishing a seamless pipeline where public wealth is converted into partisan messaging infrastructure.

In December 2025, the legislative landscape was skewed further by an amendment to Act XXXIII of 1989 on the Functioning and Financial Management of Parties that selectively sanctions “proxy” campaigning only when it involves foreign funding.²⁷⁰ This measure provides a legal safe haven for domestic, state-aligned organisations while threatening to financially cripple civic groups and NGOs that inform public debate. By selectively weaponizing transparency rules against foreign-linked entities while allowing the unhindered use of public and shadow funds for the ruling party, the Government has effectively dismantled the conditions for a fair and transparent campaign.

7. Measures to prevent conflicts of interest in the public sector

In lack of any development, concerns identified in previous reports persist and the framework for managing conflicts of interest has remained complex and fragmented.

In the realm of public procurement, conflict-of-interest management remains superficial. Despite new guidance from the Public Procurement Authority in 2024, the Integrity Authority noted that declarations are collected as a “checkbox exercise” without any substantive verification of their accuracy.²⁷¹ The Government has consistently rejected recommendations

²⁷⁰ Act C of 2025 on the Amendment of Laws Affecting the Financial Intermediary System

²⁷¹ Integrity Authority, *Éves Elemző Integritásjelentés 2024 [Annual Analytical Integrity Report 2024]*, 30 June 2025, <https://integritashatosag.hu/wp-content/uploads/2025/06/IH-2024-Eves-Elemzo-Integritasjelentes-1.pdf>

to grant oversight bodies the legal power to cross-check these declarations against state databases, ensuring that actors face minimal risk of exposure for inaccurate filings.²⁷²

A more stringent and proactive conflict-of-interest regime nominally governs the management of EU funds in Hungary, yet its practical impact remains remarkably meagre. Centred by the DIAI, the system relies on a specialised framework of mandatory declarations and random audits. However, the yields from these activities are negligible; for instance, a 2024 random review by the DIAI of 480 declarations successfully identified only 10 cases of conflict of interest. The DIAI also operates a specific whistleblowing channel for reporting conflict of interest cases, but its nearly non-existent: the platform received a mere 13 reports in 2024, most of which contained no actionable information.²⁷³

A critical failure involves the governance of public interest asset management foundations. Conflict of interests manifests most apparently in the case of these foundations' leadership, whose members are often recruited from among key public functionaries. For instance, János Lázár, Minister of Construction and Transport is a member of the board of trustees of two foundations Cropland of the New Generation Foundation (Jövő Nemzedék Földje Alapítvány) and Blue Planet Climate Protection Foundation (Kék Bolygó Klímavédelmi Alapítvány). The Government keeps on endowing public interest asset management foundations at the expense of public coffers, for instance the one of the two foundations where Minister János Lázár is a board member became the asset manager of eight thousand acres of government owned cropland.²⁷⁴ Besides, the Government keeps on endowing new public interest asset management foundations, too. The ZalaZONE Foundation (ZalaZONE Alapítvány) has been established by Act LIII of 2025, with its board of trustees chaired by former minister, currently government commissioner László Palkovics, while the Frontiers Top Research and Talent Development Foundation (Élvonal Csúcskutató és Tehetséggondozó Alapítvány) was established by Act LII of 2025.

Under the requirements set out in the December 2022 Council Implementing Decision regarding public interest asset management foundations,²⁷⁵ the Government is expected to settle the conflict of interests schemes that characterise such foundations.

In 2024, the governing majority adopted Act LIII of 2024 to introduce term limits and some conflict-of-interest rules for board members, but the reform was subverted by a conditional entry-into-force clause linked to the release of EU funds. The European Commission subsequently found that the amendment failed to address underlying risks – such as the eligibility of politically exposed officials – and the rules have not entered into force. Nonetheless, even if this law had entered into force, it would only have concerned those public interest asset management foundations that are tasked to maintain higher education

²⁷² Az Integritás Hatóság 2024. évre vonatkozó éves elemző integritásjelentésében megfogalmazott megállapításokkal kapcsolatos kormányzati álláspont [The Government's position on the findings of the Integrity Authority's Annual Analytical Integrity Report 2024], 2025, https://integritashatosag.hu/wp-content/uploads/2025/11/Dr_Navracscsics-T_level_Biro-F_-Int.Hat_-2024.-eves-jelentes_melleklet.pdf

²⁷³ There is no available information for the year 2025.

²⁷⁴ See e.g.: https://nepszava.hu/3308255_lazar-janos-vagyonjuttatas-bortonfoldek-buntetes-vegrehajitas-jovo-nemzedek-foldje-alapitvany.

²⁷⁵ Council Implementing Decision (EU) 2022/2506 of 15 December 2022 on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32022D2506>

institutions and receive EU funds, and legal entities established by them. The very foundations mentioned above would not have fallen under the scope of this law, as none of them manages higher education institutions. Ultimately, the Commission found that the less-than-half-hearted solution offered by the Government failed to remedy the reasons that led to the Council Implementing Decision on prohibiting from entering into legal commitments with such foundations.²⁷⁶

Conflict of interests result in a delicate form of lacking separation of state and party in the case of parliamentary candidates of the governing Fidesz-party, who simultaneously hold government positions or municipal functions. Transparency International Hungary identified 14 such cases, including 7 mayors or deputy mayors, 2 county-chiefs (“*főispán*”), one administrative county-chief (“*főigazgató*”) and one chief of a regional government office. Although neither government office holders, nor municipal functionaries are excluded from the candidacy at the parliamentary elections, the law fails to clarify how to separate the candidates’ political activities and their public duties. Beyond blurring the lines between state and party, this entails the possibility that such candidates are going to exploit their public functions, and, ultimately, use public assets in order to promote their political campaign.

8. Measures to ensure whistleblower protection and encourage reporting of corruption, including their application

Concerns raised in our previous contributions remain. Based on a recent Eurobarometer survey on citizens’ attitudes towards corruption,²⁷⁷ nine of 10 people who experienced corruption did not report it in Hungary, which is below the EU average (79%). More than 60% of the population did not know where to report corruption, which is among the worst ratios among Member States. Only less than half of the population (39%) would trust the police to report a crime.

Apart from whistleblower reports disclosed to the media, which are left without protection, a clear infringement upon the obligation to fully and properly transpose Article 15(2) of the Whistleblower Protection Directive, Hungary’s law to transpose the Directive, the Whistleblower Protection Act (WPA)²⁷⁸ is, in most aspects, in conformity with the Directive. However, transposition followed a minimalistic approach that entailed the lack of intention to go beyond what is required by the Directive, coupled with the endeavour to exhaust all potential derogations. The WPA chose to create a fragmented protection system by introducing a regime for reports of breaches of EU law in the areas of the Directive and, simultaneously, introducing a separate regime to govern all other reports outside the Directive’s scope, which leaves many potential whistleblowers with no or just very feeble protection and fails to clarify where and how citizens and potential whistleblowers can turn to in cases of wrongdoing, how they can preserve their anonymity and be protected from retaliation.

²⁷⁶ Commission Decision C(2024) 9140 final, https://commission.europa.eu/document/download/8003e1ad-8e79-4238-bf76-af1fcd2b5efe_en?filename=20241216%20Decision%20on%20PITs%20notification%20-%20EN.pdf, Article 1

²⁷⁷ Special Eurobarometer 561 – Citizens’ attitudes towards corruption in the EU in 2025, <https://europa.eu/eurobarometer/api/deliverable/download/file?deliverableId=99793>

²⁷⁸ Act XXV of 2023 on Complaints, Public Interest Announcements, and Rules Relating to Reports on Abuses

In Hungary, there is no single authority responsible for whistleblower protection or for managing and examining whistleblower reports, nor is any government agency entrusted with the necessary powers to oversee the WPA or the way it is put into practice. Although certain oversight duties are accorded to the Commissioner for Fundamental Rights, in lack of the power to impose sanctions on those who fail to properly enforce the regulation, malpractice stays unassessed and often even unrecognised.²⁷⁹

In 2024, the Commissioner for Fundamental Rights' protected electronic system received 599 submissions – a 16% increase from the previous year – yet only 69% of these qualified as actual reports under the law, and the vast majority did not concern corruption. This highlights a persistent gap between the public's grievances and the functional use of the system as an anti-corruption tool. While some specialised bodies show better results – for instance, the Public Procurement Authority initiated formal procedures in 43% of the 58 reports it received in 2025 – the specialised channels for reporting fraud related to EU funds remain nearly dormant, with portals like anti-lop.hu receiving only nine reports throughout the entire year.

A significant factor behind this is the Government's failure to implement the broad public awareness campaigns promised in the NACS. Instead of a wide-reaching program to build public trust, the initiative was downgraded to a limited "B2B information-sharing exercise" between the Prime Minister's Cabinet Office and the Chamber of Commerce. This limited outreach targets only the corporate sector, leaving the general citizenry uninformed about their rights and protections. While the Government did launch internal e-learning modules for public officials in early 2025, these measures focus on administrative processing rather than proactively encouraging citizens to step forward, ensuring that whistleblowing remains an uncommon and marginalised practice.

Problems stemming from the Directive's ill-advised transposition and the lack of a culture that would support whistleblowing are exemplified in the case of Gábor Kuslits, the former director of the Regional Child Protection Service in Budapest. Mr Kuslits had been dismissed prior to publicly exposing in an interview to the press serious issues in child protection, including allegations of sexual exploitation of minors and the condoning of such practices by high ranking members of the Government.²⁸⁰ Following the publication of the interview, the Government's Social and Child Protection Directorate reported Mr Kuslits to the police for defamation and for failing to report an incident endangering a minor.²⁸¹ The Ministry of Justice asserts that a criminal investigation into the conducts described by Mr Kuslits has been underway but so far no evidence supports the involvement of any member of the Government in the wrongdoings concerned.²⁸² Hungary's emerging child protection scandal entails further incidents where competent authorities failed to follow up on reports on wrongdoing, contributing to the decade-long impunity of a suspected sexual predator, who, after 10 years, is detained and charged with abuse of the powers accorded to him as the director of a juvenile

²⁷⁹ *Report on the activities of the Commissioner for Fundamental Rights and his Deputies 2023*, <https://tinyurl.com/yhy2mzwy>

²⁸⁰ See the interview here: <https://www.valaszonline.hu/2025/09/08/ex-gyermekvedelmi-vezeto-kuslits-gabor-szocialpolitika/>.

²⁸¹ See e.g.: <https://24.hu/belfold/2025/09/18/kuslits-gabor-kihallgatas/>.

²⁸² See e.g.: <https://telex.hu/belfold/2025/09/18/tuzson-bence-az-eljaras-soran-kormanytag-erintettsege-fel-sem-merult>.

correctional institution in Budapest's Szőlő Street, and with prostitution of juvenile detainees.²⁸³

9. Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests *[single market relevance]*

The flow of EU funds to Hungary has been interrupted for four years. This process has had a dramatic impact on public investment and public procurement: reforms have been launched to improve the transparency of public procurement and reduce the risk of corruption and the value of available contracts has fallen significantly compared to the more prosperous years. However, despite the downward trend in the proportion of single-bid tenders, there has been no improvement in the lack of competition on the public procurement market.

On the one hand, the number of bidders can be easily increased by means of supporting bids.²⁸⁴ For example, Facekom Kft., which was previously linked to the circle of István Tiborcz, the Prime Minister's son-in-law, was able to win the contract for the procurement of the facial recognition program for the Digital Citizenship Program without competition because the two other bidders did not submit the missing information and were ultimately excluded from the competition.²⁸⁵

On the other hand, while competition has intensified for smaller-value procurements avoided by the dominant suppliers of the Government, the largest tenders continue to be won by actors close to the government. Transparency International Hungary's Tender Champion database shows that Viktor Orbán's childhood friend, the wealthiest Hungarian, Lőrinc Mészáros continued to stand out among the most successful bidders in the 2021–2023 period, winning public procurement contracts worth a total of more than HUF 1,090.4 billion (€ 2,6 billion).²⁸⁶ This accounted for 8.6% of the total value of all tenders examined, which indicates a substantial concentration in the market. In the case of construction orders, the truly significant orders in 2024 continued to be won mainly by the companies of Lőrinc Mészáros and his consortium partner, László Szíjj.²⁸⁷

Market monopolisation was also backed by framework agreements which have become increasingly important in the Hungarian public procurement market. In 2024, framework agreements were concluded with a total value of HUF 3,219 billion (€ 8,4 million). Almost half

²⁸³ See e.g.: <https://444.hu/2026/01/14/szolo-utca-a-kormany-egyre-tobb-allitasa-valik-tarthatatlanna>. See also a compilation of investigative articles relating to the scandal of the Szőlő Street child juvenile correctional institution here: <https://444.hu/2026/01/12/kollegank-babel-vilmos-kapta-meg-a-2025-os-transparencysoma-dijjat>.

²⁸⁴ Integrity Authority, *Éves Elemző Integritásjelentés 2024 [Annual Analytical Integrity Report 2024]*, 30 June 2025, <https://integritashatosag.hu/wp-content/uploads/2025/06/IH-2024-Eves-Elemzo-Integritasjelentés-1.pdf>

²⁸⁵ See e.g.: <https://24.hu/fn/gazdasag/2025/04/17/arcfelismero-alkalmazas-tiborcz-istvan-facekom-dap-idomsoft/>.

²⁸⁶ Transparency International Hungary, *Tenderbajnokok – A közbeszerzéseken nyertes cégek teljesítménye és tulajdonosaik közhatalmi szerepvállalása [Tender Champions – The performance of companies winning public procurement contracts and the role of their owners in public administration]*, 2025, https://transparency.hu/wp-content/uploads/2025/03/tenderbajnok_web_elemzes_final.pdf

²⁸⁷ See e.g.: <https://telex.hu/g7/adat/2025/07/30/kozbeszerzes-tender-unios-penzek-sporolas-meszaros-sziji-epitoipar-verseny>.

of them were financed from EU funds.²⁸⁸ Such agreements can shut out market competition for years, especially since in 2024, 69% of framework agreements did not reopen competition, as they were concluded with only one market participant.²⁸⁹ This is also a cause for concern as framework agreements are not included in government numbers on single-bid tenders.

The use of framework agreements is particularly widespread in the case of so-called central purchasing bodies. The involvement of these organisations is mandatory for the procurement of many goods and services and for almost all public institutions. In this structure, a single supplier can gain exclusive access to a significant portion of the public sector's needs for years. This phenomenon is particularly significant in the case of tenders by the National Communications Office (NKOH), where – according to Transparency International Hungary's measurements – a single entrepreneur, Gyula Balásy's companies won 74% of the contracts between 2021 and 2023.²⁹⁰ The companies have been under investigation since 2024 on suspicion of embezzlement, but no interrogations have taken place until the fall of 2025. In fact, the National Police Headquarters itself has entrusted Gyula Balásy's companies with communication tasks.²⁹¹

Another obstacle to transparency, and thus to competition is also the fact that investee companies of private equity funds are also frequent winners of public contracts, while their ownership structure remains opaque even for oversight authorities, leaving room for potential conflicts of interest. State organisations regularly treat these organisations as partners, even though Hungary's Fundamental Law stipulates that national assets must be managed in accordance with the principles of transparency and accountability. Transparency International Hungary found that these companies collectively won HUF 2,603 billion (€ 6,8 million) in public funds between 2021 and 2024.²⁹² Among private equity-backed companies, B+N Zrt. stands out securing approximately one-third of all contracts awarded to firms with private equity ownership. Most of them are framework agreements covering several years, where the contracting authority was these times as well one single central purchasing body, the Directorate-General for Public Procurement and Supply.

The Government's action plan to boost competition in public procurement (originally established by Decisions 1118/2023. and 1082/2024.) was reviewed in 2025.²⁹³ The action plan has limited ambitions, which raises doubts about their potential to enhance competition. The action plan hardly takes into consideration the findings and the proposals of the Integrity Authority and the non-governmental members of the ACTF. In the case of central purchasing

²⁸⁸ Integrity Authority, *Éves Elemző Integritásjelentés 2024 [Annual Analytical Integrity Report 2024]*, 30 June 2025, <https://integritashatosag.hu/wp-content/uploads/2025/06/IH-2024-Eves-Elemzo-Integritasjelentes-1.pdf>

²⁸⁹ See the results of the performance measurement framework for evaluating the efficiency and cost-effectiveness of public procurement, indicator n47, at: <https://ekr.gov.hu/cms/hirek/a-kozbeszerzesek-hatekonysagat-es-koltseghatekonysagat-ertekelo-teljesitmenymeresi-keretrendszer-eredmenyei-2025>.

²⁹⁰ Transparency International Hungary, *Tenderbajnokok – A közbeszerzéseken nyertes cégek teljesítménye és tulajdonosaik közhatalmi szerepvállalása [Tender Champions – The performance of companies winning public procurement contracts and the role of their owners in public administration]*, 2025, https://transparency.hu/wp-content/uploads/2025/03/tenderbajnok_web_elemzes_final.pdf

²⁹¹ See e.g.: https://hvg.hu/360/20251230_Balasy-Gyula-rendorseg-legyel-te-is-rendor-hirdetes-kampany-nyomozas.

²⁹² Transparency International Hungary: *Public Funds and Private Profits – The Role of State Resources in Hungarian Private Equity Fund*, 2025, <https://transparency.hu/wp-content/uploads/2025/12/Ti-Hu-public-funds-and-private-profits-web-1.pdf>

²⁹³ Government Resolution 1086/2025. (III. 31.) on the 2025 Review of the Action Plan on Measures to Increase Competition in Public Procurement (2023–2026)

bodies, the only relevant new commitment is to create a web-based system for contracting authorities to evaluate the services of central purchasing bodies.

10. Measures for the prevention of corruption in relation to the issuing of official permits *[single market relevance]*

The primary mechanism for undermining standard permitting processes in construction and real estate is the designation of projects as being of “national economic priority” (*“nemzetgazdasági szempontból kiemelt jelentőségű beruházás”*). This status allows the Government to exempt specific developments from local building codes, urban planning regulations, and standard environmental impact assessments.

A defining example in 2025 was the “Mini-Dubai” (Rákosrendező) case, which would have served as a textbook illustration of how tailor-made legislation can neutralise administrative safeguards to serve private interests. Under the proposed framework, the project would have been pushed through via an international agreement that designated a specific investor without a tender, effectively bypassing standard municipal urban planning and environmental permitting processes. This process would have turned official permits into a mere formality, stripping them of their role as tools for public accountability. While the multibillion-euro deal was ultimately derailed in early 2025 because the Municipality of Budapest discovered and successfully exercised a pre-emption right to the land, the case exposed a structural vulnerability where institutional safeguards would have been powerless to prevent such opaque lobbying if not for a legal technicality and intense political pressure.

C. Repression

11. The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

The 2025 updates to Hungary’s legal framework on corruption present a facade of technical tightening that primarily serves to capture “petty” corruption while leaving high-level, systemic graft effectively shielded. While the Government enacted legislative amendments – partly under international pressure from the OECD – to close procedural loopholes, these changes are undermined by a prosecutorial culture of selective inaction and the institutionalisation of “legalised corruption”.

Although the definitions of classical corruption offenses remained unchanged, the 2025 amendments expanded investigative powers, such as authorising covert surveillance (wiretaps) for all forms of bribery (active and passive) regardless of the penalty range. While ostensibly a tool for more effective detection, its practical application has been largely confined to low-level cases, such as healthcare gratuity payments.

Furthermore, the introduction of a tiered investigative deadline (extending up to three years) is a double-edged sword; while intended for complex cases like foreign bribery, it may contribute to the growing sluggishness of the justice system. Extreme delays frequently result

in mitigated sentences or allow high-profile defendants to flee the country, rendering the sanctions practically unenforceable and stripping them of any deterrent effect.

On paper, corporate criminal liability was significantly sharpened in 2025, introducing turnover-based penalties of up to 5% for executive negligence.

A new requirement for companies to possess anti-corruption strategies for state-aided foreign investments appears more as an administrative “checkbox exercise” to satisfy the OECD Anti-Bribery Working Group than a genuine shift in enforcement.

The legislative process for transposing the new EU Directive on asset recovery, which began in late 2025, faces similar structural barriers. While the proposed law targets indirect wealth and assets transferred to third parties, it offers no avenue for recovering resources lost through “legally engineered” corruption. Since lawmakers are shielded from liability for “damage caused by legislation”, the most significant transfers of national wealth remain legally unimpeachable.

In 2022, the judicial review process was introduced in Hungary’s criminal procedure framework to enable non-state players and, with certain restrictions, the Integrity Authority, to take action if they believe that the investigative authority mishandled a corruption case. Law-enforcement agencies, however, are inclined to abusively interpret the law citing, for example, the statute of limitations to justify dismissals in order to prevent the court from ordering the continuation of a previously dismissed or halted investigation.²⁹⁴ Nonetheless, successful motions for judicial review²⁹⁵ indicate that the court can provide an effective forum for remedy, often the only chance for a thorough investigation.

According to information received from the judiciary, 85 motions for judicial review were submitted to the competent court, out of which the court dismissed 71 motions and granted seven motions, ordering the investigation authority to start an investigation or continue the previously discontinued process, while the adjudication of seven motions was still pending on 31 December 2025. By way of comparison, out of 80 motions submitted in 2024, the court

²⁹⁴ K-Monitor, *Polt Péter, a büntethetetlen: trükközéssel lehetetlenítette el az ügyészség a felülbírálati indítványunk benyújtását* [Péter Polt, the unpunishable: the prosecutor’s office used tricks to prevent us from submitting our motion for review], 22 August 2025, https://k.blog.hu/2025/08/22/polt_peter_a_buntethetetlen_trukkozessel_lehetetlenitette_el_az_ugyeszseg_a_felubiralati_inditvanyu

²⁹⁵ K-Monitor has so far submitted four successful motions for review, with the court or the prosecution stating in all cases that the investigative authorities had not considered or carried out all necessary steps before making a decision on the cases concerned. See: K-Monitor, *Hazugságokra mentek a milliárdok? – a K-Monitor felülbírálati indítványa nyomán büntetőeljárásban vizsgálhatók a propaganda közpénzköltései* [Did billions go to lies? Following K-Monitor’s motion for review, the use of public funds for propaganda may be investigated in criminal proceedings], 14 January 2026, https://k.blog.hu/2026/01/14/hazugsagokra_mentek_a_milliardok_a_k-monitor_felubiralati_inditvanya_nyoman_buntetoeljarasban_vizsg; K-Monitor, *Három–null a javunkra: ismét fordítani tudtunk egy nagykorruptió ügyben született nyomozóhatósági döntésen* [Three–nil in our favour: we were able to overturn a decision by the investigative authorities in a major corruption case once again], 7 October 2025, https://k.blog.hu/2025/10/07/tomb2002_felubiralati; K-Monitor, *Nyomozni kell a Veszprém Handball Team Zrt. ügyében* [Investigation required into the case of the Veszprém Handball Team Zrt.], 26 May 2025, https://k.blog.hu/2025/05/26/nyomozni_kell_a-veszprem_handball_team_zrt_ugyeben; K-Monitor, *A K-Monitor indítványát követően nyomozni kell Tiborcz István érdekeltsege ügyében* [Following K-Monitor’s motion, an investigation must be launched into István Tiborcz’s interests], 20 March 2025, https://k.blog.hu/2025/03/20/a-k-monitor_inditvanyat_kovetoen_nyomozni_kell_tiborcz_istvan_erdekeltsege_ugyeben.

dismissed 73 and granted seven. According to our knowledge, no private prosecution took place since the introduction of the judicial review process.

In a conference talk²⁹⁶ delivered in April 2025, former Prosecutor General Péter Polt asserted that the judicial review process was like a “triggered detonator”, whose harmful effects can only be prevented by stopping it at the very beginning of the process.

The revision of the judicial review procedure was incorporated into the action plan for the NACS. The most recent update on the implementation of the action plan (Q3 2025)²⁹⁷ indicated that the draft report has been revised, and the final agreed version is awaiting a ministerial decision on its submission to the Government. The content of the report and any potential legislative amendment proposals are not known.

Besides, no legal or institutional reform took place aiming to change the hierarchical structure of the prosecution service, one of the root-causes underlying malfunctions within the system and the failure to take action in prominent corruption cases, whose prevalence is evidenced by the fact that even the new Prosecutor General, in office since May 2025, failed to take action in the stalled investigation into suspected misappropriation of funds during the term of the previous leadership of Hungary’s Central Bank.

12. Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences

According to the latest parliamentary report of the Prosecutor General,²⁹⁸ 3,834 corruption offences were registered in 2024, almost the double of the 2,000 cases registered in 2023. The rise was most significant in the case of the passive economic bribery offence, out of which 2,950 cases were registered in 2024, four times the number of passive economic bribery cases registered in 2023 (655). The rise in the number of registered active official bribery cases (322 in 2024, while only 90 in 2023) is also spectacular.

Note that covert surveillance, combined with the “integrity tests” conducted by the National Protective Service, has led to a high volume of detected offenses in the healthcare and social sectors. However, these statistics are heavily distorted by the legal principle of “multiplicity of offences”, where a single doctor accepting small “gratitude” payments from dozens of patients is recorded as hundreds of individual crimes. While this produces impressive data on “detected corruption”, it has absolutely no impact on high-level graft.

²⁹⁶ Available at: <https://ugyeszseg.hu/wp-content/uploads/2025/04/jogbiztonsag-es-jogegysege-az-ugyeszseg-szemszogebol-1.pdf>.

²⁹⁷ Implementation Matrix 2025 Q3, available on the Government’s website at: https://korrupciomegelozes.kormany.hu/download/f/69/73000/Monitoring%20T%C3%A1mogat%C3%B3%20M%C3%A1trix%202025_III_negyed%C3%A9v.pdf.

²⁹⁸ A legfőbb ügyész országgyűlési beszámolója az ügyészség 2024. évi tevékenységéről [The Prosecutor General’s report to the Parliament on the activities of the prosecution service in 2024], <https://ugyeszseg.hu/wp-content/uploads/2025/08/orszaggyulesi-beszamolo-az-ugyeszseg-2024-i-tevekenysegről.pdf>

13. Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases

Concerns raised in our previous contributions regarding impunity in high-level corruption cases continue to persist. The Prosecutor Service maintains his position regarding the lack of a definition for high-level corruption, which is why the prosecution service does not collect separate statistical data on this. Although he mentions cases that fall within this category, in his response to the 2024 Rule of Law Report, the former Prosecutor General maintained his reference to the lack of conceptual clarity, adding that *“the prosecution office is still awaiting feedback on what the European Commission’s interpretation of high-level corruption cases entails”*.

The courts failed to reach a first instance deliberation on the merits of the cases enumerated in our previous contribution, which is another indication that impunity of suspected high-level perpetrators of grand corruption prevails. As a consequence of protraction, the mitigation of potential punishments in both the so-called Schadl–Völner case, where the prosecution service indicted the former Deputy Minister of Justice Pál Völner for allegedly having rigged the appointment of bailiffs in exchange of bribes and in the suspected budgetary fraud case of former governing party MP György Simonka is to be anticipated.

However, all these concerns are overshadowed by the newest high level corruption case related to Hungary’s Central Bank (see Question II.1. on follow-up to previous recommendations). Although reckless management of public funds was widely discussed in public, the Government failed to take action. The Central Bank’s previous Governor, supposedly the chief orchestrator of the suspected misappropriation was not interrogated, neither were any other individuals involved with the conducts concerned. The police also failed to take measures to recover misappropriated assets. The Central Bank’s current Governor, Mihály Varga, although inclined to put questionable asset management practices at the Central Bank to an end, used to serve as the Minister of Finance, and, in this capacity, designated two members of the Central Bank’s Supervisory Board. As a result, Mihály Varga ought to have received direct information about the acts of misappropriation, still did not take action to halt the conducts concerned and to redirect assets diverted from the Central Bank’s public coffers. The omission by Mihály Varga gives rise to the suspicion that as Minister of Finance he may have abetted the misappropriation.²⁹⁹

Investigation and prosecution of corruption or related offences tend to be protracted or halted in other high-level cases, too. For instance, it took almost three years for the authorities to interrogate the suspected perpetrator of subsidy fraud, a mayor belonging to Hungary’s governing Fidesz party when the suspected offence occurred, in the case of the infamous canopy trail project, where the forest around the walkway was cut clear.³⁰⁰

²⁹⁹ Transparency International Hungary, A Transparency International Magyarország ismét feljelentést tett az MNB alapítványai ügyében [Transparency International Hungary to submit crime report for a second time in relation to the foundations endowed by Hungary’s Central Bank], 8 April 2025, <https://transparency.hu/hirek/mnb-ujboli-feljelentes/#~:text=A%20Transparency%20International%20Magyarorsz%C3%A1g%20ism%C3%A9t%20feljelent%C3%A9st%20tett,sz%C3%A1moltass%C3%A1k%20el%20a%20Magyar%20Nemzeti%20Bank%20alap%C3%ADtv%C3%A1nyai>

³⁰⁰ See the press release by OLAF of 8 January 2026: https://anti-fraud.ec.europa.eu/media-corner/news/olaf-investigation-uncovered-misuse-rural-development-funds-hungary-2026-01-08_en?prefLang=hu and the

On the other hand, actions by the police and the prosecution service can occur swiftly in politically sensitive cases, as exemplified by the investigation against Ferenc Biró, President of the Integrity Authority,³⁰¹ who is suspected to have abused his office and improperly used public funds on multiple occasions, including the lease of a vehicle for his wife's private use and the commissioning of a consultancy to help the Integrity Authority's strategic communication at the European Union's level and the establishment of the Integrity Authority's diplomatic representation to the European Commission³⁰² – charges Ferenc Biró vehemently denies.³⁰³ While the alleged abuse and financial irregularities appear to be relatively minor, the scale and intensity of the raid, and the ensuing investigation are perceived as disproportionate and intimidating, especially when compared to the typically muted responses in similar, yet much larger and more complex corruption investigations in Hungary, such as the above described misappropriation case associated with Hungary's Central Bank. This apparent overreach and the disproportionate response from the prosecution service raise serious questions about the motives behind the investigation. More concern results from the fact that although Ferenc Biró was interrogated two times as a criminal suspect and accusations were communicated to him in January and in February 2025, the prosecution service has failed to close the investigation and decide whether to dismiss the case or to press charges. Given that the acts Ferenc Biró is accused of are relatively simple in nature, the protraction of the criminal procedure pending against him gives rise to the speculation that the prosecution service rather aims to intimidate the Integrity Authority's President instead of attempting to bring full clarity to the cases concerned.

These incidents reveal the depth of political capture of key components of the anti-corruption framework, including the police and the prosecution service.

14. Information on effectiveness of criminal and non-criminal measures and of sanctions on both public and private offenders

The prosecution brought charges against a total of 54 individuals in the corruption case related to EU tenders, including the former Deputy State Secretary of the Ministry of Finance and other high-ranking officials in February 2024.³⁰⁴ The indictment reveals the possibility of the unchecked operation of a corruption network spanning across ministries. Some of the indictees were also responsible for implementing the NACS.

The precedent to settle pecuniary sanctions at the expense of public resources instead of holding the crony companies that were caught for misusing EU funds accountable prevails. Moreover, the Government fails to recover the amount of the sanction from the companies concerned by launching either a criminal process, or a civil lawsuit, or by employing other legal

statement by Hungary's prosecution service of 8 January 2026: <https://ugyeszseg.hu/gyanusitottkent-hallgattak-ki-az-un-lombkoronasetany-ugyben-a-volt-polgarmestert/>.

³⁰¹ See e.g.: <https://www.bbc.com/news/articles/c5y66j852nyo>.

³⁰² See the English press release of the prosecution service of 16 January 2025 here:

<https://ugyeszseg.hu/en/the-central-chief-prosecution-office-of-investigation-interrogates-president-of-the-integrity-authority-as-a-suspect/>.

³⁰³ See Ferenc Biró's statement in English here: <https://www.integritashatosag.hu/en/statement-by-ferenc-pal-biro-on-articles-about-his-property/>.

³⁰⁴ See e.g.: <https://24.hu/belfold/2024/02/12/54-vadlottja-van-a-miniszteriumokon-ativelo-vesztegetesi-botranynak-mind-a-12-hivatalos-szemelyre-letoltendot-kertek/>.

means. As a result, even when public funds misuse comes to light, there is very low financial or criminal risk at the level of government-linked relationships. The loss of funds due to the withholding of EU resources also impacts the Hungarian budget, from which government-linked companies, such as those owned by the Prime Minister's son-in-law, István Tiborcz, continue to receive substantial support. The Hungarian legal system thus lacks any deterrent force against the misuse of public funds or the behaviour of companies benefiting from it.

Companies harming the interests of the Prime Minister's inner circle, or which have fallen out of favour, are typically subjected to extensive investigations and sanctions. The most recent examples of this are the fines imposed by the Competition Authority for cartel activity, such as the HUF 11 billion (€ 26,7 million) fine imposed on the company of the large entrepreneur László Bige, who has not joined the government interest group, and the HUF 1.2 billion (€ 3 million) fine imposed on the companies of Zsolt Homlok, the disgraced son-in-law of Lőrinc Mészáros, who divorced the latter's daughter. In the former case, the court found the fine to be unlawful.

15. Any other developments related to the anti-corruption framework

Concerns raised in our previous contributions regarding accessibility of public interest information prevail. As a result of legislative amendments adopted in the last two years, public bodies are no longer obliged, among other things, to fulfil a request for information that is not aimed at data held directly by them, but by their subordinate entities.³⁰⁵ In addition, state-owned enterprises were authorised to keep the data of their foreign investments secret for 10 years,³⁰⁶ while the Government can block some of its decisions for 20 years instead of the previous 10 years.³⁰⁷ Moreover, Act CXXVIII of 2025 introduced a new ground for rejection in case of cybersecurity concerns. These legal amendments contradict Hungary's obligations to enhance transparency of public spending.

Further restrictions stem from an amendment to Act CVI of 2007 on State Assets. New provisions restrict state assets to corporate quotas and shares directly owned by the Hungarian state, while indirectly owned quotas and shares used to be covered by the respective legal definition prior to this amendment.³⁰⁸ Consequently, information relating to corporate quotas and shares indirectly owned by the state no longer qualify as public interest information.

No rule has been adopted to ensure compliance with the 2020 Constitutional Court decision that required providing judicial remedy against companies receiving public funds.³⁰⁹

Moreover, the Kúria's case law becomes alarmingly controversial. On the selection of subcontractors of the Budapest–Belgrade railway investment, the Kúria found that the judicial review of the Minister of Foreign Affairs' decision to deny access to the requested data would

³⁰⁵ Act CXII of 2011 on the Right to Informational Self-Determination and on Freedom of Information, Article 30(2a)

³⁰⁶ Act CXXII of 2009 on Austerity Measures Applicable to Publicly Owned Corporations, Articles 7/K–7/L

³⁰⁷ Act CXXV of 2018 on Government Administration, Article 7/A(2)

³⁰⁸ Act LXXXVII of 2023 on the Amendment of Certain Acts Related to the Economy and to the Management of Assets, Article 11

³⁰⁹ Decision 7/2020. (V. 13.) AB of the Constitutional Court

contradict the principle of the separation of powers, therefore the discretionary decision by the Minister of Foreign Affairs to deny access to information based on foreign policy considerations cannot be reviewed by the court.³¹⁰ This means that no judicial remedy would be provided for those contesting the Minister's decision. This understanding was confirmed by the Constitutional Court,³¹¹ and has begun to affect the practice of the lower courts as well,³¹² making information related to foreign policies and investments practically inaccessible. In another decision, the Kúria ruled without previously assessing the requested documents and found that invoices issued by a state-owned hospital of services to private patients dispatched by an intermediary company cannot be accessed even if personal data are erased of the invoices, because such invoices may residually contain information that allows the identification of the patients.³¹³

On government resolutions, it ruled that the rejection of requests to access large data sets may not be challenged in a single lawsuit, instead, separate claims shall be submitted in separate lawsuits regarding each and every element of the dataset sought for.³¹⁴ Following this decision it will be more difficult to request larger sets of data and to enforce access to them before the courts.

Uniformity complaint proceedings suspending the execution of judgments delay access to information, as the Kúria has no set deadline to conclude them. This remedy can temporarily prevent the applicant from turning to the Constitutional Court. State bodies began relying on this remedy following the abolition of their standing before the Constitutional Court.³¹⁵

Public interest asset management foundations and publicly owned companies fall out of the scope of the Central Public Data Information Registry. Only metadata of contracts is required to be uploaded to the Registry, not the contracts. It still does not allow searching for contractors within the entire database, only within the documents of the contracting authority.

³¹⁰ Decision Pfv.IV.20.100/2022/5. of the Kúria (29 June 2022), https://transparency.hu/wp-content/uploads/2025/06/20220906_Kuria_Pfv.IV._20.100_2022_5-felulvizsgalati-itelet.pdf

³¹¹ 3200/2025. (VI. 23.) AB of the Constitutional Court (Budapest–Belgrade railway)

³¹² Decision 2.Pf.20.386/2025/5. of the Metropolitan Regional Court of Appeal (mission in Chad)

³¹³ Judgment in case Pfv.IV.21.030/2025

³¹⁴ Decision IV.Pfv.20.614/2025/8-II. of the Kúria (10 September 2025), <https://eakta.birosag.hu/anonimizalt-hatarozat-pdf/?birosagName=K%C3%BAr%20%C3%A1r%20%C3%A9s%20K%C3%BAr%20%C3%A9s%20K%C3%BAr%20%C3%A9s&ugyszam=Pfv.20614/2025/8&azonosito=5ba979eb-29be-4b3c-9aff-df92d0012db2>

³¹⁵ Case numbers: Jpe.II.60.038/2025., Jpe.I.60.065/2025.

III. MEDIA PLURALISM AND MEDIA FREEDOM

1. Information on measures taken to follow-up on the recommendations received in the 2025 Rule of Law Report regarding media pluralism and media freedom

The Hungarian government has not complied with the recommendations contained in the 2025 Rule of Law Report. Similarly, it has not implemented the European Media Freedom Act (EMFA) (Regulation (EU) 2024/1083), which came into force on 8 August 2025, but no legislative or regulatory measures have been taken so far. In December 2025, the European Commission opened an infringement procedure³¹⁶ against Hungary for failing to comply with several provisions under the EMFA and certain requirements under the Audiovisual Media Services Directive (AVMSD) (Directive (EU) 2018/1808).

The European Commission recommended to “*introduce mechanisms to enhance the functional independence of the media regulatory authority taking into account European standards on the independence of media regulators*”. There have not been any developments in this field since the 2025 Rule of Law Report.

The European Commission also recommended to “*adopt measures to ensure fair and transparent distribution of advertising expenditure by the state and state-owned companies*”. State advertising continues to distort the market and the entire Hungarian public sphere, with no change in this area. The transparency of state advertising has not improved either, even though this should have been changed since the EMFA came into force. Following a new public procurement tender, the NKOH concluded a new framework agreement in October 2025 again worth HUF 75 billion (€ 189 million). There is also an option for two extensions, so the actual value of the agreement is HUF 225 billion (€ 566 million).³¹⁷

Finally, the European Commission recommended to “*strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media*”. There were no legislative or regulatory changes in 2025 in this regard either. In addition to disregarding the

³¹⁶ INFR(2025)2194, <https://digital-strategy.ec.europa.eu/en/news/commission-calls-hungary-comply-european-media-freedom-act-and-audiovisual-media-services-directive>

³¹⁷ See e.g.: K-Monitor, *Már megint a régi nótá: Balásyék nyerték a kommunikációs hivatal giga-mega keretmegállapodását* [Same old story: Balásy won the mega-giga framework agreement for the communications office], 26 September 2025, https://k.blog.hu/2025/09/26/mar_megin_a_regi_nota; and <https://telex.hu/g7/vallalat/2025/10/20/allami-kommunikacio-balasy-gyula-rendezvenyszervezes>.

recommendations, Hungary fails to comply with the EMFA's provisions on public service media.

The above-mentioned problem areas are also analysed in reports published by monitoring institutions like the International Press Institute³¹⁸ or Mertek Media Monitor.³¹⁹

A. Media authorities and bodies

2. Measures taken to ensure the independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies

The issues raised in our previous contributions to the Rule of Law Reports still prevail.

The National Media and Infocommunications Authority (NMHH) is a convergent authority, which operates as regulator of the telecommunications and media markets within a single body. The Media Council is part of the NMHH; it has a distinct competence in the media field. The two bodies have the same president. The two-thirds majority held by the governing party in Parliament has control over both the NMHH and the Media Council.

The Media Council's politically biased decision-making practices are well known. Among its other tasks, the Media Council investigates complaints regarding unbalanced reporting of public service media. This is indeed an important issue in Hungary. Republikon Institute and ConnectEurope analysed the balance of evening television news programs of public television between February and July 2025. The research found that the screen time allocation between pro-government and opposition politicians was 73% and 27% respectively, and while pro-government politicians were never presented in a negative context, opposition politicians were mostly presented in a negative tone.³²⁰ In 2025, the Media Council received a total of 59 complaints regarding the unbalanced reporting in public service media. In each case, the Media Council either did not initiate an administrative process or terminated it.³²¹

Based on EMFA, which entered into force on 8 August 2025, Member States have a legislative obligation affecting several areas. On the other hand, it imposes several tasks on national regulatory authorities and organisations and, in some instances, on different public administration bodies. Hungary and the national regulatory authorities and bodies have not

³¹⁸ International Press Institute – Media and Journalism Research Center, *Media Capture Monitoring Report: Hungary Measuring EMFA Compliance*, November 2025, <https://ipi.media/wp-content/uploads/2025/12/HUNGARY-Media-Capture-Monitoring-Report-Overview-1.pdf>

³¹⁹ ConnectEurope – Mertek Media Monitor, *Monitoring the implementation of the European Media Freedom Act (II.)*, 23 November 23, 2025, <https://connecteurope.eu/2025/11/27/monitoring-the-implementation-of-the-european-media-freedom-act-ii/>

³²⁰ Republikon Institute – ConnectEurope, *Féléves közmédia-monitoring. A 2025. február–júliusi 19:30-as híradók alapján [Half-yearly public media monitoring. Based on the 7:30 p.m. news broadcasts from February to July 2025]*, September 2025, https://republikon.hu/media/165840/002_Koezmedia-feleves-jelentes_V3.pdf, pp. 10–11.

³²¹ See: https://nmhh.hu/tart/kereses?HNDDTYPE=SEARCH&name=doc&fld_keyword=%22kiegyens%20C3%BAl%20yozotts%20C3%A1%20gi%20k%20C3%A9relem%22&clearfacets=1&clearfilters=1&fld_compound_target=allfields&fld_compound=&page=1.

fulfilled any of their obligations under EMFA at the time of the present contribution, and based on the available information, no preparatory work is currently underway.³²²

Act CIV of 2023 on Certain Rules for Internet Broadcasting Services appointed the President of the NMHH as the Digital Services Coordinator in Hungary. This institution was established by the Digital Services Act to carry out the tasks of the Member States in supervising intermediary service providers, including online platforms and search services, and enforcing the European regulation. The independent Lakmusz-HDMO consortium (Hungarian member of the EDMO – European Digital Media Observatory) has experienced that the President of the NMHH is not cooperative. The Lakmusz-HDMO consortium organised workshops to discuss with the NMHH and co-regulators, among other things, the current problems of disinformation and the implementation of the European Union Code of Conduct on Disinformation. The first workshop in 2024 was particularly forward-looking, with the NMHH and the members of the Lakmusz-HDMO consortium having similar views. However, during the organisation of the second workshop, András Koltay, President of the NMHH, replied that *“We have come to the decision that the NMHH can no longer participate in the workshops”*. In 2025 three workshops were organised, but the NMHH did not attend these events. In this way, the Digital Service Coordinator is explicitly obstructing the implementation of the EU project for which he is responsible.

In 2025, the NMHH’s budget was HUF 59.5 billion (€ 149.6 million). The Parliament approves the Media Council’s budget as part of the NMHH’s integrated budget. The Media Council’s operating budget in 2025 was HUF 736 million (€ 1.85 million).³²³ These amounts are theoretically suitable to guarantee high-level professional work, however, in the case of the NMHH and the Media Council these serve as the price of the loyalty.

3. Conditions and procedures for the appointment and dismissal of the head/members of the collegiate body of media regulatory authorities and bodies

The framework for the appointment of the President of the NMHH and the Media Council (the media regulatory body of the NMHH) and other connected bodies has not changed.

The President of the NMHH and Media Council is appointed by the President of the Republic for nine years upon the proposal of the Prime Minister. Upon appointment, the President becomes the nominee for the presidency of the Media Council and is elected by the Parliament with a two-thirds supermajority for nine years; the Parliament’s role is limited to a mere right to reject the nominee. Somewhat more substantive parliamentary control is present in the election of the four other members of the Media Council (each for nine years), which is based on the proposal of the Parliament’s Cultural Committee, in which the two-thirds majority of the members are of the governing parliamentary group Fidesz-KDNP. However, this control is only formal due to the characteristics of the Hungarian political features, that is, due to the fact

³²² ConnectEurope – MerteK Media Monitor, *Monitoring the implementation of the European Media Freedom Act (II.)*, 23 November 2025, <https://connecteurope.eu/2025/11/27/monitoring-the-implementation-of-the-european-media-freedom-act-ii/>

³²³ Act LXIII of 2024 on the Consolidated Budget of the National Media and Infocommunications Authority for 2025, Annexes 1 and 2

that the two-thirds majority is a monolithic political actor, where MPs vote along extreme party discipline.

It should be noted that although “[t]he appointment of the members of the Media Council and its chairman is subject to strict procedural and conflict of interest rules”,³²⁴ these safeguards, in themselves, are necessary but not sufficient conditions of independence. Most important in this respect is the fact that the necessary two-thirds majority is held by a single, monolithic political actor.

The Public Service Public Foundation’s³²⁵ duty is to ensure the legislative requirements over the public service media. Its Board,³²⁶ the operating body, consists of six members elected by the Parliament (three nominated by the governing parties and three by the opposition parties,³²⁷ for nine years³²⁸), the President of the Media Council, and another delegate of the Media Council.³²⁹ Membership ceases with conflict of interest, a dispensation (in case the person is undergoing conservatorship), or exclusion (if the person culpably fails to perform the role for more than six months, or if convicted and sentenced to imprisonment, or if professionally disqualified regarding the person’s role in the Board or deprivation of civic rights).³³⁰ If a vacancy arises in the same parliamentary term or a different one with the same parliamentary composition, either the governing majority or the opposition which nominated the previous member has the right to nominate.³³¹ From August 2022, if a vacancy arises in a different parliamentary term that changes the composition, the Parliament’s Cultural Committee nominates, considering the changes.³³² In both cases, after nomination, the Parliament elects the new members for a term lasting until the expiration of the other elected members’ term. If the delegated president’s or the delegated member’s status ceases, the Media Council delegates another president/member in 15 days for a term lasting until the expiration of the other elected members’ term. The current Public Service Media Foundation board members were elected in 2019³³³ by the Parliament, with an additional member elected in 2021³³⁴ as one of the former members died.

4. Existence and functions of media councils or other self-regulatory bodies

The situation has remained almost unchanged since our previous contributions to the Rule of Law Reports. Act CLXXXV of 2010 on Media Services and on the Mass Media (hereafter:

³²⁴ As stated by the Authority itself in a report published in 2024 as a defence against arguments questioning the independence of the Authority and the Media Council. The report is available here in English:

https://english.nmhh.hu/dokumentum/249961/evaluation_of_media_freedom_reports_published_in_2024.pdf.

³²⁵ See: <https://www.kszka.hu/dokumentumok/torvenyi-hatter/alapito-okirat>,
<http://www.kszka.hu/uploads/2020/10/kozzszolgalati-kodex-20210601.pdf>.

³²⁶ The Board approves the financial plans of the Foundation and its media services, protects the media services’ independence, and approves modifications to its Code, removes the CEOs of the service providers who violate the requirements of public service, and is authorised to initiate the Media Council’s regulatory procedure.

³²⁷ Act CLXXXV of 2010 on Media Services and Mass Media, Article 86(2)

³²⁸ Act CLXXXV of 2010 on Media Services and Mass Media, Article 86(10)

³²⁹ Act CLXXXV of 2010 on Media Services and Mass Media, Article 86(6)

³³⁰ Act CLXXXV of 2010 on Media Services and on the Mass Media, Article 88(4)–(7)

³³¹ Act CLXXXV of 2010 on Media Services and on the Mass Media, Article 87(2)

³³² Act CLXXXV of 2010 on Media Services and on the Mass Media, Article 87(3)–(4)

³³³ Parliamentary Resolution 38/2019. (XI. 5.) OGY on Electing the Members of the Board of the Public Service Media Foundation

³³⁴ Parliamentary Resolution 14/2021. (V. 19.) OGY on Amending Parliamentary Resolution 38/2019. (XI. 5.) OGY on Electing the Members of the Board of the Public Service Media Foundation

Media Law) created a co-regulation system as an alternative to the Media Council's control. The Media Law authorised media market players to set up co-regulatory bodies³³⁵ which have the authority – with exclusive jurisdiction – to implement rules relating to media content. The Media Law provides that the Media Council may conclude administrative agreements with the co-regulation bodies. Based on these agreements, the co-regulation body handles a specified range of cases within the official authority's jurisdiction and performs other functions relating to media administration and media policy. In this framework the responsibility of co-regulatory bodies is to decide upon complaints concerning the activities of service providers, to arbitrate disputes between media enterprises and to monitor the activities of providers.

Four organisations have sprung up as part of the co-regulation framework since 2011: the Hungarian Newspaper Publishers' Association, the Association of Hungarian Content Providers, the Association of Hungarian Electronic Broadcasters and the Advertising Self-Regulatory Board.

The co-regulation system never really took off, however, and it was obvious that no one felt confident that it would be worthwhile to resort to this forum for settling disputed issues. The co-regulation procedure is not independent of the authorities since – based on the underlying legal agreement – the Media Council provides the co-regulatory bodies with financial support. Nor is it independent of the market, since the market players delegate members to serve on these bodies. Furthermore, the market players can also keep track of who lodged complaints against them. Hence, it was in no one's interest to launch such proceedings. The market players feel that it is better to keep the peace and avoid a scenario where they would have to delve into each other's disputes, and also that it would not be a good idea to alert the Media Council to problems. Civic organisations and citizens also do not report issues, either because they do not know the system or because they do not want to legitimise a regulatory practice in which the Media Council plays a role.

In assessing the effectiveness of the co-regulatory system, it is very telling that relevant pages on the websites of two industry organisations are blank or visibly incomplete. There is no indication that any kind of proceedings have been conducted in the case of the Association of Hungarian Content Providers and the Association of Hungarian Electronic Broadcasters. The Hungarian Newspaper Publishers' Association and the Advertising Self-Regulatory Board publish monitoring documents about certain issues.

The co-regulation system is a clear example of how an otherwise good, rule-of-law-compliant system in Hungary has become so empty that it is failing to fulfil its original purpose.

Self-regulatory bodies are weak and have limited role in the Hungarian media. The Association of Hungarian Journalists (MÚOSZ)³³⁶ is a journalists' organisation with long traditions, but the average age of members is quite high, and the organisation is not a very significant player in the Hungarian media field. A relatively new organisation (Médiaforum³³⁷) was created as an association of independent media, but its viability is also limited. Independent local media outlets created their community (Fülke)³³⁸ to amplify the voices of local communities.

³³⁵ Act CLXXXV of 2010 on Media Services and on the Mass Media, Articles 190–202

³³⁶ <https://muosz.hu/>

³³⁷ <https://mediaforum.hu/>

³³⁸ <https://afulke.hu/hu/>

B. Safeguards against government or political interference and transparency and concentration of media ownership

5. Measures taken to ensure the fair and transparent allocation of state advertising *[single market relevance]*

The issues raised in the previous Rule of Law Reports still prevail.

It is well documented that state advertisers favour pro-government companies and avoid independent media. This practice renders fair competition impossible and distorts the market.³³⁹ State sources finance politically favoured media outlets, and this helps several pro-government media enterprises to flourish, or at least survive the economically difficult years. These media companies are unquestionably loyal to the Government: the editorial practice has to serve the interest of the ruling parties if they want to preserve their most important revenue source. At the same time independent media outlets have become extremely vulnerable because of the unfair competition.³⁴⁰ The market-distortion effect of state advertising spending still prevails, therefore the publisher of Magyar Hang weekly with another Hungarian publisher filed a state aid complaint to the European Commission in April 2025.³⁴¹

The communication public procurement system is totally centralised. State institutions should conduct their communication activities, including state advertising, through the NKOH. This means that public institutions, e.g. ministries, state-owned companies, and public institutions can only contract with media agencies that have previously won a public procurement tender and have concluded a framework agreement with the NKOH. Since 2018 the NKOH has had a framework agreement only with the New Land Media and Lounge Design media agency consortium. These two agencies have the same owner, Gyula Balásy, a pro-government businessman. The obligated contracting authorities (public institutions) can enter into a contract with this one consortium, which can either be concluded after consultation or simply ordering the service. The contracting authority is obliged to base its award on the prices of a single tenderer. In fact, given the complexity of communication tasks, the pricing of individual tasks depends on the price that a single bidder quotes for a specific task.

So instead of encouraging the competition among the framework agreement partners, NKOH obliged all public institutions to contract with the Balásy-consortium. The consortium has a monopoly in state communication, and it has a price-setting role.

In the years 2022–2025 NKOH spent HUF 225 billion (€ 566 million) based on the framework agreement. The original value of the framework agreement was HUF 75 billion (€ 189 million), but it was extended twice for the same amount. Following a new public procurement tender, NKOH concluded a new framework agreement in October 2025 again worth HUF 75 billion.

³³⁹ Attila Bátorfy – Ágnes Urbán, State advertising as an instrument of transformation of the media market in Hungary, *East European Politics*, 2020, 36:1, <https://doi.org/10.1080/21599165.2019.1662398>, pp. 44–65.

³⁴⁰ Mertek Media Monitor and its partners turned to the European Commission with a state aid complaint in 2019. See: <https://mertek.eu/en/2020/09/07/ec-complaints/>.

³⁴¹ See the statement of Magyar Hang of 28 April 2025 at: <https://hang.hu/info/statement-175565>.

There is also an option for two extensions, so the actual value of the agreement is HUF 225 billion, as well as in the previous period.³⁴²

NKOH is part of the Prime Minister's Cabinet Office and Antal Rogán, the head of the Cabinet Office is responsible for the NKOH. At the very beginning of 2025, the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) sanctioned Antal Rogán for his involvement in corruption in Hungary, based on the Global Magnitsky Human Rights Accountability Act. The announcement underlines that he controls NKOH and *"(t)hroughout his tenure as a government official, Rogan has orchestrated Hungary's system for distributing public contracts and resources to cronies loyal to himself and the Fidesz political party"*.³⁴³ In April 2025 the U.S. State Department removed sanctions on Antal Rogán.³⁴⁴

Since the EMFA came into force in August 2025, the transparency of state advertising should be ensured. However, no changes have been made in this area, and the Hungarian government has not taken any steps towards implementing the EMFA. Mertek Media Monitor sent a freedom of information request to the NKOH, asking about compliance with EMFA regulations in relation to state advertising. The NKOH did not provide a substantive response, stating that *"due to its role as a central purchasing body, the NKOH does not participate in specific communication tasks, such as the implementation of advertising campaigns"*.³⁴⁵

6. Safeguards against state/political interference [single market relevance]

The issues raised in the previous Rule of Law Reports still prevail.

Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content³⁴⁶ protects the independence of journalists in the following way: journalists are entitled to professional independence from the owner of the media content provider and from the person supporting the media content provider or placing a commercial announcement in the media content, as well as to protection against pressure from the owner or the person supporting the media content to influence the media content (editorial and journalistic freedom). A journalist cannot be penalised under employment law or any other legal penalty for refusing to comply with an order that would curtail their editorial and journalistic freedom. In practice, however, this rule has no practical significance and no journalist has ever taken legal action on this ground.

³⁴² See e.g.: See e.g.: K-Monitor, *Már megint a régi nóta: Balásyék nyerték a kommunikációs hivatal giga-mega keretmegállapodását* [Same old story: Balásy won the mega-giga framework agreement for the communications office], 26 September 2025, https://k.blog.hu/2025/09/26/mar_megin_a_regi_nota; and <https://telex.hu/g7/vallalat/2025/10/20/allami-kommunikacio-balasy-gyula-rendezyenszervezes>.

³⁴³ <https://home.treasury.gov/news/press-releases/jy2773>

³⁴⁴ See e.g.: <https://www.politico.eu/article/viktor-orban-donald-trump-us-lifts-sanctions-against-top-ally-accused-of-corruption/>.

³⁴⁵ The freedom of information request by Mertek Media Monitor of 23 September 2025 and the NKOH's response of 10 October 2025 is available here:

https://kimitud.hu/request/az_allami_hirdetesekek_elosztasana#incoming-39831.

³⁴⁶ Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content, Article 7

As also pointed out by previous Rule of Law Reports, there are serious governance and transparency problems around the public service media.³⁴⁷ The Hungarian public media operate in the framework of a very complex and confusing institutional structure. The Media Service Support and Asset Management Fund (hereafter: Fund) performs practically all of the public media's content acquisition and show production and it is also the legal employer of the public service media employees. At the same time, however, the editorial responsibility for the content lies with another organisation, the Duna Médiaszolgáltató Nonprofit Zrt. (hereafter: Duna).

According to the Media Law, Duna is the public service media provider and it is more or less appropriately subject to external control mechanisms (Board of the Public Service Public Foundation, Public Service Body, Public Service Fiscal Council), but in reality, the oversight is merely a façade since it has no resources. And then there is the Fund, which disposes of taxpayer funds without being subject to any meaningful independent control. The Fund is subject to the review of a single organisation: the Media Council. The budget of Duna for 2025 was HUF 2.44 billion (€ 6.1 million), while the budget of the Fund was HUF 165 billion (€ 415 million).³⁴⁸ This is obviously a hacking of public service media transparency requirements.

Article 5(2) of EMFA requires that the heads of the public service media provider be chosen through a transparent, open, efficient, and non-discriminatory process. The Hungarian Parliament must amend media law and detailed rules are necessary to ensure this process for selecting managers of public service media providers. EMFA has not been implemented, the required legislative changes have not been done. Mertek Media Monitor submitted a freedom of information request to the Ministry of Justice about legislative measures to implement Article 5(2) of EMFA. The Ministry responded in January 2026, and actually published an anti-EU political statement as a response. The Ministry stated that, in its opinion, certain provisions of the EMFA violate Hungary's sovereignty and therefore it has turned to the CJEU.³⁴⁹

The radio frequency tenders of Media Council showed a more balanced practice in 2024, although the Media Council continued to support the expansion of Fidesz-affiliated radio stations. Based on the analysis of the Media Council's decisions, there were 35 radio frequency tenders in 2024; five of them were inconclusive. Out of the remaining 30 tenders, 16 frequencies were allocated to radio network operators close to the Government: 14 radio stations are part of networks owned by pro-government investors (Radio1, Radio7), two radios are owned by a church, and 14 frequencies were allocated to other operators.³⁵⁰ The 2025 analysis is not available yet.

³⁴⁷ Mertek Media Monitor and its partners turned to the European Commission with a state aid complaint, see: <https://mertek.eu/en/2020/09/07/ec-complaints/>. The complaint was closed in 2024 without any result. In 2025, Mertek Media Monitor applied to the ECtHR in this case.

³⁴⁸ Act LXIII of 2024 on the Consolidated Budget of the National Media and Infocommunications Authority for 2025, Annex 4

³⁴⁹ The freedom of information request of Mertek Media Monitor, submitted on 17 December 2025, is available here: https://kimittud.hu/request/a_tomegtajekoztatas_szabadsagaro_2#outgoing-40668. The data request was responded to on 21 January 2026. The response of the Ministry of Justice is available here: https://kimittud.hu/request/a_tomegtajekoztatas_szabadsagaro_3?nocache=incoming-40935#incoming-40935.

³⁵⁰ Mertek Media Monitor, *Sovereignist Media Policy. Soft Censorship Report 2024, 2025*, https://mertek.eu/wp-content/uploads/2025/12/Mertek_Fuzetek_43.pdf

7. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners *[single market relevance]*

The transparency of ownership is not the major problem in the Hungarian media system, but the transparency should be improved. The owners can be checked in the company registry, but no media-specific database is available.

In some cases, the beneficial owner is unknown. The best-known example of this is TV2, the market-leading commercial television broadcaster and one of the country's largest media companies. Investigative journalists have been trying to identify the beneficial owner for years, but this has not been possible due to the complex corporate structure. The increasingly widespread system of private equity funds and trust asset managers is conducive to concealing the beneficiary owner.³⁵¹

According to Article 22 of the EMFA Member States must establish substantive and procedural rules to evaluate concentrations in the media market that significantly affect media pluralism and editorial independence. In 2025 the Hungarian legislator had not yet established either the rules on notification or the criteria for notified mergers. This provision became especially relevant in October 2025, when a significant pro-government media company Indamedia Network acquired Ringier Hungary. Among other media brands the market leader tabloid newspaper Blikk and its online portal were involved in the acquisition.

Article 6 of the EMFA mainly imposes responsibilities on media service providers to ensure that users know the ownership backgrounds of their service providers and to identify and evaluate potential conflicts of interest. Article 6(2) of EMFA trusts national regulatory authorities or other competent authorities with the development of national media ownership databases containing the relevant information of media ownership. In 2025 the Hungarian government did not implement EMFA and the ownership database was not created.

Ownership concentration is another major problem in Hungary.

Besides the Central European Press and Media Foundation (KESMA), several commercial media companies are owned by pro-government investors, like TV2 commercial television, Radio1 network, Index news portal and Blikk tabloid newspaper. The ruling party controls other elements of the media ecosystem, e.g. the media agency market, sales houses, printing facilities, distribution systems, and so on.³⁵²

There are no real ownership constraints in the Hungarian media legislation, it is allowed to build a big media empire. The Media Law³⁵³ provides that the Hungarian Competition Authority (HCA) is obliged to obtain the position statement of the Media Council for the approval of the concentration of enterprises if the enterprises or the affiliates of two groups of companies bear editorial responsibility and their primary objective is to distribute media content to the general public via an electronic communications network or a printed media product. The official position statement of the Media Council shall bind the HCA. The Media Council shall not have the right to reject granting an official licence when the level of merger between

³⁵¹ See e.g.: <https://telex.hu/g7/kozelet/2025/09/15/tv2-meszaros-lorinc-vagyonkezeles-tulajdonos>.

³⁵² Mertek Media Monitor, *Sovereignist Media Policy. Soft Censorship Report 2024, 2025* https://mertek.eu/wp-content/uploads/2025/12/Mertek_Fuzetek_43.pdf

³⁵³ Act CLXXXV of 2010 on Media Services and on the Mass Media, Article 171

independent opinion sources after the merger will ensure the right for diversity of information within the particular market segment for the media content service.

Until now the Media Council has issued reasoned opinions in only three of the seven cases, of which it granted regulatory clearance for the merger in one case. The most important feature of the technical content of the opinions is that they are unsubstantiated and inconsistent.³⁵⁴

The Government has a possibility to avoid the investigation of the Media Council and the HCA. When KESMA was transformed into a media empire in 2018, the Prime Minister signed an order declaring the transactions to be a matter of “national strategic importance in the public interest”. This is a tool to avoid the investigation of authorities.

C. Framework for journalists’ protection, transparency and access to documents

8. Rules and practices guaranteeing journalists’ independence and safety, including as regards protection of journalistic sources and communications

Arguably the biggest threat to journalists’ independence and safety in 2025 was the Russian-style Bill on the Transparency of Public Life, that, in fact, aimed to effectively and completely silence the remaining independent journalists (and civil society actors – see Question IV.16.). Early spring in a public rally Prime Minister Viktor Orbán promised new measures against – among others – the media, with the pretext of protecting Hungary’s sovereignty. A proposed bill was tabled in the Parliament in May, that would have authorised the Sovereignty Protection Office (SPO) to blacklist organisations that had accepted foreign funds, and to prevent these organisations from receiving these funds as well as the 1% donations from income tax.³⁵⁵ The announcement of the proposal was followed by protests, where tens of thousands demanded the revocation of the proposed bill. Although surprisingly the governing party backed down and the adoption of the bill was postponed and it was not put on the Parliament’s agenda in the fall term, it remains formally pending. The proposal arguably exercised – and, since it was just postponed, but not dropped has been exercising – some chilling effect, creating an uncertain situation for journalists.

Although the bill was postponed for the time being, the narrative of foreign-funded journalists threatening national sovereignty remained. In June 2025 the SPO launched a smear campaign against Válasz Online and journalist Szabolcs Vörös, who made an interview with Ukrainian President Volodimir Zelensky.³⁵⁶ In a publication available online till today, the SPO alleged that Válasz Online could make and publish the interview just because it is part of the “Ukrainian

³⁵⁴ Mertek Media Monitor, *Media Landscape after a Long Storm – the Hungarian Media Politics Since 2010*, 2021, <https://mertek.eu/wp-content/uploads/2021/12/MertekFuzetek25.pdf>

³⁵⁵ For an analysis prepared by civil society stakeholders, see: *Operation Starve and Strangle – How the Hungarian Government Decided to Put Companies, Independent Media and Civil Society in a Chokehold*, 20 May 2025, <https://helsinki.hu/en/wp-content/uploads/sites/2/2025/05/Operation-Starve-and-Strangle-2025.pdf>. For an unofficial English translation of the bill, see: <https://helsinki.hu/en/wp-content/uploads/sites/2/2025/05/Bill-T11923-Transparency-of-Public-Life.pdf>.

³⁵⁶ See: Safety of Journalists Platform Alert no. 122/2025, <https://fom.coe.int/en/alerte/detail/107642645:globalSearch=false>.

propaganda machinery".³⁵⁷ Válasz Online subsequently sued the SPO for defamation, the legal proceedings are still ongoing.

The SPO launched an attack against investigative journal site Átlátszó. In its "investigative report" published in 2024 the SPO accused Átlátszó *inter alia* of engaging in spying activity, being a member of an international network intervening against the interests of Hungary. Átlátszó initiated civil proceedings and won in the first instance; the Metropolitan Regional Court held that these were false statements and that the SPO needed to pay damages to Átlátszó.³⁵⁸

The Bill on the Transparency of Public Life can be considered as a general threat to journalist's independence and safety, but also some singular cases occurred that are highlighted below.

At the end of January 2025, Telex journalists Dániel Simor and Noémi Gombos tried to ask the Prime Minister questions on healthcare near a film studio in the town Fót.³⁵⁹ The journalists' accreditation was withdrawn, officers of the Counter Terrorism Centre arrived and asked them to leave, and when they refused to do so, they were detained, and Dávid Simor was fined under misdemeanour charges.³⁶⁰

There are irregularities regarding government press conferences. In April 2025, spokesperson Eszter Vitályos noted to Miklós Gergely Nagy, journalist of news outlet 24.hu, that she expects someone else from the outlet as she found the journalist's style of questioning reprehensible.³⁶¹ 24.hu rejected the request, and sent Nagy to the next press conference, where he was denied entry.³⁶² Specific journalists or media outlets are still being banned from government press conferences.³⁶³

In 2024 the Constitution Protection Office interrogated Magyar Hang's journalist Tamás Koncz, editor Lukács Csaba and editor-in-chief György Zsombor; polygraph tests were used. In early January 2025 a question was submitted about this to the European Commission by Members of the European Parliament.³⁶⁴ The Commission answered that it was aware of the case and referred to the European Media Freedom Act that was going to be applicable from 8 August 2025, prescribing safeguards for journalists in similar situations.

³⁵⁷ The publication is available here: Sovereignty Protection Office, *Ukrán propaganda brüsszeli finanszírozással [Ukrainian propaganda financed by Brussels]*, 11 June 2025, <https://szuverenitasvedelmihivatal.hu/hirek/ukran-propaganda-brusszeli-finanszirozassal>.

³⁵⁸ See a related news piece of 4 December 2025 by Átlátszó here: <https://atlatszo.hu/kozugy/2025/12/04/pert-nyertunk-a-szuverenitasvedelmi-hivatal-ellen-az-also-foku-itelet-szerint-valotlansagokat-terjesztettek-rolunk/>.

³⁵⁹ See: Safety of Journalists Platform Alert no. 8/2025, <https://fom.coe.int/en/alerte/detail/107642101;globalSearch=false>.

³⁶⁰ A report on the case in English is available at: <https://telex.hu/english/2025/01/31/we-wanted-to-ask-viktor-orban-some-questions-but-ended-up-taken-in-by-the-police>.

³⁶¹ See: <https://24.hu/belfold/2025/03/27/vitalyos-eszter-kormanyinfo-24-hu/>.

³⁶² See: <https://24.hu/belfold/2025/04/10/kormanyinfo-24-hu-vitalyos-eszter-gulyas-gergely-ujzagiras/>.

³⁶³ For example Magyar Hang is still banned: <https://hang.hu/belfold/a-magyar-hang-tovabbra-is-ki-van-tiltva-a-kormanyinforol-184209>.

³⁶⁴ *Intimidation of journalists and media freedom in Hungary*, Question for written answer to the Commission, E-000230/2025, 20 January 2025, https://www.europarl.europa.eu/doceo/document/E-10-2025-000230_EN.html

9. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

There is still no dedicated law enforcement capacity to prevent or investigate attacks on journalists, and neither criminal law nor law enforcement practice treats journalists as a group that requires enhanced protection.

Indeed, journalists are not threatened physically by third parties, rather, their work is most often hindered by state actors (see for example Dániel Simor's and Noémi Gombos' case above). Journalists were rarely attacked during protests and demonstrations in 2025. An exception was an incident against journalists of anti-government media Kontroll, where a single individual attacked the journalists, and seized the microphone. The individual was later taken into custody by the police.³⁶⁵ Another exception was when the reporter of the public media was threatened verbally to be hung. Fidesz MP Gyula Budai reported the case to the police, and a criminal investigation was initiated.³⁶⁶

Distributed denial-of-service (DDOS) attacks occur, however, as we noted in our previous contribution as well. We do not know of any special protection provided by the state to media outlets against such attacks.

10. Access to information and public documents by the public at large and journalists

The general problems noted in our previous contribution still prevail. Access to data regarding public funds remains restricted based on the constitutional amendment that narrowed down the definition of public funds.³⁶⁷ The Parliament is still in failure to comply with the legislative duty ordered in a 2020 Constitutional Court decision³⁶⁸ that set a due date of 31 December 2020 to amend the Act of Parliament regulating freedom of information procedures³⁶⁹ since the current law does not guarantee judicial remedy in case public information is not held by a public authority but by an organisation which entered into financial relations with a public body.³⁷⁰ Currently, this omission results in the lack of legal remedies for those requesting such public data, as courts dismiss these cases without examining the case on the merits. The Constitutional Court rejected complaints invoking the lawmaker's omission.³⁷¹

³⁶⁵ See e.g.: <https://media1.hu/2025/10/05/pecs-pride-kontroll-stab-tamadas-magyar-peter-fuggetlen-sajto-biralat/>.

³⁶⁶ See e.g.: https://hvg.hu/itthon/20250911_Kotcsen-akasztassal-fenyegettek-az-M1-riporteret-a-rendorseg-eljarast-inditott.

³⁶⁷ Article 39(3) of the Fundamental Law sets out the following: "Public funds shall be the revenues, expenditures and claims of the State."

³⁶⁸ Decision 7/2020. (V. 13.) AB of the Constitutional Court

³⁶⁹ It is on the list of the legislative tasks of the Parliament arising from the decisions of the Constitutional Court: <https://www.parlament.hu/az-orszaggyules-donteseire-vonatkozó-alkotmánybírósági-határozatok>.

³⁷⁰ The Constitutional Court declared in its Decision 7/2020. (V. 13.) AB that the right to freedom of information extends to all public data and judicial remedies must exist to fulfil this fundamental right vis-à-vis all persons handling public data. The Constitutional Court's decision obliges the legislature to create legal remedies for the violation of Article 27(3a) of Act CXII of 2011 on the Right to Informational Self-Determination and on Freedom of Information.

³⁷¹ Decision 3115/2024. (III. 22.) AB and Decision 3160/2024. (V. 3.) AB of the Constitutional Court

Also, the legal amendments noted in our previous contributions “over-codifying” certain decisions and therefore barring journalists from obtaining public data were not undone.³⁷² (Please note that other irregularities are detailed under Question II.15. of this contribution.)

The Constitutional Court rejected a complaint without examining the merits regarding a case K-Monitor initiated against the Ministry of Interior to obtain a report on the reform of the healthcare system.³⁷³ The court held that it found no factor establishing that the case would constitute a constitutionally relevant question or unconstitutionality affecting decisions of the lower courts.³⁷⁴

Access to information was severely restricted by a decision of the Constitutional Court. A journalist required data regarding the construction of the Budapest–Belgrade railway. The data – that is connected to the spending of HUF 700 billion (€ 1.8 billion) – was withheld as a result of the decision of Minister of Foreign Affairs Péter Szijjártó, without any reasoning.³⁷⁵ Independent newspaper hvg.hu and journalist Babett Orosz initiated court proceedings. The Constitutional Court held that access to public data can be denied based on reasons related to foreign policy, and in such case courts can only examine whether the exception was based on an Act of the Parliament; and that the responsible minister gave the statement related to the denial. That is, the courts cannot examine such denials substantively, only the formal criteria.³⁷⁶ This is arguably a not necessary and proportionate restriction of the fundamental right of access to information, also, it questions whether the right to appeal prevails. The case law followed suit: a few months later access to data was denied on similar grounds, without meaningful reasoning in a case related to data on a military mission in Chad.³⁷⁷

Two controversial decisions of the Kúria are to be mentioned.³⁷⁸ One of the cases concerned the controversial “VIP department” of the state hospital Uzsoky. Transparency International Hungary requested data covering inter alia the invoices, the Kúria, however, overturning the previous judgments awarded in the case concerned, found without previously assessing the requested document that invoices issued by a state-owned hospital of services to private patients dispatched by an intermediary company cannot be accessed even if personal data are erased of the invoices, because such invoices may residually contain information that allows the identification of the patients.³⁷⁹ This contradicts previous judgments by the Kúria, which expect courts to assess the document sought prior to ruling. The other case concerned

³⁷² Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report, January 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HUN_CSO_contribution_EC_RoL_Report_2025.pdf, p. 12.

³⁷³ K-Monitor, *Titkos egészségügyi átalakítási tanulmány: Alkotmánybírósághoz és az emberi jogi bírósághoz fordultunk* [Secret healthcare reform study: We have appealed to the Constitutional Court and the human rights court], 16 October 2024, https://k.blog.hu/2024/10/16/titkos_egeszsegugyi_atalakitasi_tanulmany_alkotmanybirosaghoz_es_az_emberi_jogi_birosaghoz_fordultunk

³⁷⁴ Decision 3130/2025. (IV. 25.) AB of the Constitutional Court

³⁷⁵ See: https://hvg.hu/gazdasag/20211126_budapest_belgrad_itelet_transparency.

³⁷⁶ Decision 3200/2025. (VI. 23.) AB of the Constitutional Court

³⁷⁷ See: <https://444.hu/2025/11/23/dontott-a-birosag-nem-ismerhetjuk-meg-a-csadi-misszio-elokesziteséhez-kotodo-szerzodeseket-mert-szijarto-peter-velemenyet-a-birosag-nem-vizsgalhatja-felul>.

³⁷⁸ This paragraph contains verbatim quotes from the following document: Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary’s compliance with conditions to access European Union funds*, November 2025, https://m.blog.hu/k/k/image/hu_eu_funds_assessment_2025.pdf, p. 35. See also Question II.15. of this contribution.

³⁷⁹ Decision Pfv.IV.21.030/2025. of the Kúria

non-transparent government resolutions requested by Transparency International Hungary. The Kúria, overturning the judgment by the appeals court, ruled that the rejection of requests to access large data sets may not be challenged in a single lawsuit, instead, separate claims shall be submitted in separate lawsuits regarding each and every element of the dataset sought for.³⁸⁰ Following this decision it will be more difficult to request larger sets of data and to enforce access to them before the courts.

11. Lawsuits and convictions against journalists and measures taken to safeguard against manifestly unfounded and abusive lawsuits

As defamation was decriminalised in 2023, numbers of such charges against journalists have dropped significantly.³⁸¹ However, other lawsuits, most notably GDPR-based SLAPPs remained a viable option for those seeking to silence journalists.

GDPR-based strategic lawsuits remained a persistent tool for suppressing investigative journalism in Hungary throughout 2025 alongside other legal tools, such as press rectification procedures. Politically connected individuals continued exploiting data protection provisions to prevent reporting on their business activities that were backed partially by government funds, or on their other political gains, burdening media outlets with costly legal challenges despite the public interest nature of their work. Without a dedicated journalistic exemption in Hungary's GDPR implementation, authorities retained broad discretion in balancing privacy and press freedom. However, some progressive rulings from the National Authority for Data Protection and Freedom of Information (NAIH) and the Kúria suggest potential improvement still in the lack of a legislation.

According to a freedom of information request the Hungarian Civil Liberties Union has filed to the Ministry of Justice, no progress has been made in Hungary regarding the implementation of the Anti-SLAPP Directive. As a sign-off, the Ministry of Justice noted: *“We would also like to inform you that, unlike in other countries, journalists in Hungary have no reason to be afraid.”*

Meanwhile, multiple newsrooms were facing SLAPP lawsuits in 2025, many of which went unreported.

Győző Orbán, the father of the Prime Minister of Hungary, initiated proceedings before the Data Protection Authority (DPA) against an MP³⁸² and five independent media outlets for the alleged unlawful processing of personal data, claiming invasion of his privacy as he is not a public figure. One of the media outlets, Gulyáságyú Média, published an article with aerial footage about the Hatvanpuszta estate owned by Győző Orbán. Development of the estate began in 2010, when Viktor Orbán first took office, and has since grown into an investment worth several billion forints (tens of millions of euros). According to the owner's public statements, it is being developed as a "family farm"; however, the financial background of the project remains unclear. Traces show links to Lőrinc Mészáros, close friend of Viktor Orbán

³⁸⁰ Decision IV.Pfv.20.614/2025/8-II. of the Kúria (10 September 2025), <https://eakta.birosag.hu/anonimizalt-hatarozat-pdf/?birosagName=K%C3%BAr%20II%20%2F%2025%2F8-II.&ugyszam=Pfv.20614%2F2025%2F8&azonosito=5ba979eb-29be-4b3c-9aff-df92d0012db2>

³⁸¹ But did not cease to exist. We know of ongoing defamation proceedings against journalists.

³⁸² See e.g.: <https://telex.hu/belfold/2025/10/17/hadhazy-akos-naih-orban-qvozo>.

who became one of Hungary's wealthiest persons.³⁸³ In addition, Győző Orbán's company, which allegedly provides for the construction, has won significant public procurement grants in the last decade.³⁸⁴ The construction has been carried out entirely away from public scrutiny. Gulyáságyú Media reported on the matter and now faces a SLAPP lawsuit.

Gyula Balásy, the principal contractor behind the Government's propaganda campaigns, was the subject of a planned Magyar Hang article investigating whether public money could have funded his costly personal construction project indirectly in the Buda district. In response to the journalist's preliminary questions, the newspaper received a demand letter threatening a personal-rights lawsuit and a data-protection authority investigation. The newsroom published the article nevertheless, though the threat of a lawsuit remains.³⁸⁵

The Barabás family, one of Hungary's wealthiest families, continued to initiate lawsuits against Forbes' annual wealth lists and articles publishing on the outcome of the proceedings between the family and Forbes. The new proceedings include appeals against court decisions made in 2024 regarding press rectification and a preliminary injunction. They include new press rectification procedures, DPA procedures and civil lawsuits based on personality rights. Forbes received right of access requests regarding each of the articles they planned to publish.³⁸⁶

Alongside Forbes, the family has sent a demand letter to the Hungarian Civil Liberties Union representing Forbes in the SLAPP proceedings, after they reported on the positive rulings of the courts in their cases and posted a video which raises awareness on the effect of SLAPPs against journalists. The demand letter threatened to sue the watchdog organisation for HUF 10 million (€ 25,000) in pecuniary damages. As Forbes reposted this video when they reported on the successful court ruling, they received the same demand letter at the same time. The owners of the company proceeded until now solely with suing the watchdog organisation protecting journalists.³⁸⁷

In 2025, the courts made two significant rulings³⁸⁸ regarding the balancing of freedom of the press with the right to personal data, which are significant in the pushback against SLAPPs, as mainly the GDPR is used for such lawsuits. These rulings show courts increasingly safeguarding freedom of the press. However, the lack of legislation and action from the Government means the progress is slow and was achieved after ongoing litigation since the implementation of the GDPR.

12. Any other developments related to media pluralism and freedom

The discontinuation of political advertising on Google and Meta in fall 2025 severely affected government communications, even before the EU's Transparency and Targeting of Political

³⁸³ See e.g.: <https://telex.hu/direkt36/2025/10/02/itt-egy-eros-bizonyitek-arra-hogy-meszaros-lorinc-all-orban-apjanak-milliardos-epitkezese-mogott-1>.

³⁸⁴ See e.g.: <https://telex.hu/g7/kozelet/2025/08/31/hatvanpuszta-orban-viktor-orbany-gyozo-dolomit-kft-kobanya>.

³⁸⁵ See: <https://hang.hu/magyar-hang-plusz/balasy-gyula-epitkezés-182488>.

³⁸⁶ See the Hungarian Civil Liberties Union's related statement of 17 December 2025 here: <https://tasz.hu/cikkek/hat-eljarasban-gyoztunk-iden-a-hell-tulajdonosai-ellen/>.

³⁸⁷ See e.g.: https://hvg.hu/kkv/20250903_hell-per-tasz-forbes-ebx.

³⁸⁸ See court decisions no. Pfv.IV.20.429/2025/6. and 9.Pf.20.668/2023/19.

Advertising (TTPA) regulation came into effect. These ads were previously an important tool for disseminating government messages, which often included disinformation and hostile narratives.³⁸⁹

During the first nine months of 2025, before Google and Meta banned political ads, government-affiliated actors, including government agencies, Fidesz politicians, government-organised media, and proxy organisations, paid for 87% of the HUF 4.1 billion (€ 10.6 million) spent on Google and Meta ads in Hungary. The remaining 13% was shared by all other actors, including all opposition parties, NGOs, and independent media.³⁹⁰

Despite bans by Google and Meta, political ads – including seemingly harmless cartoons and hardcore deepfakes placed by pro-government advertisers – have continued to run on both tech giants' platforms, though in significantly smaller quantities. Often, the ads are simply reclassified in other categories, such as Business, Finance, Autos, or Internet.³⁹¹

As in previous years, Hungary was unique among the countries of the European Union in 2025 in that government-controlled media outlets and their social media pages were the primary sources of fake news and conspiracy theories. The main targets of these disinformation campaigns were European Commission President Ursula von der Leyen, Ukrainian President Volodimir Zelensky, EPP President Manfred Weber, and Péter Magyar, President of the TISZA party and Viktor Orbán's challenger in the upcoming elections. According to disinformation spread by the Government, "war-mongering Brussels" intends to interfere in the 2026 Hungarian elections to install a "puppet government" that supports Ukraine through Magyar and his party. In contrast, the governing party's main campaign message is that Prime Minister Viktor Orbán is the guarantor of peace and the only one who can protect the country from war. The Government used AI-generated content to support these claims. By the end of 2025, the entire Hungarian county newspaper network and the daily newspaper Magyar Nemzet, both of which are controlled by the governing party, were coordinating the distribution of AI-generated fake images of Magyar to link him to the war and "Brussels warmongers".³⁹²

Moreover, the governing party spread false information about the TISZA party's alleged plans to increase taxes with enormous resources, based on an AI-generated document. Meanwhile, a court of first instance ruled that the pro-government media outlet Index, which originally published the documents, had falsely claimed they were linked to the opposition party. In another case, a court issued an interim order prohibiting the distribution of a free special edition of the pro-government tabloid Bors, which aimed to widely disseminate the false information. However, the governing party interpreted the court's ban on disseminating blatant lies as a restriction on freedom of speech.

³⁸⁹ Political Capital, *Fidesz & Co. flood social media with anti-Western hostile disinformation in Hungary's election campaign, reaching EU spending records*, 8 June 2024, https://politicalcapital.hu/library.php?article_read=1&article_id=3389

³⁹⁰ Political Capital, *The government dominated social media advertising in Hungary again in 2025, with a ratio of 87:13*, 18 December 2025, https://politicalcapital.hu/news.php?article_read=1&article_id=3615

³⁹¹ Political Capital, *The Houdini Ads – How political advertisements slip through Google's and Meta's filtering systems*, 19 December 2025, https://politicalcapital.hu/news.php?article_read=1&article_id=3614

³⁹² Political Capital, *Folytatódik az AI-jal támogatott TISZA-ellenes lejárató kampány a megyei lapok Facebook-oldalain [The AI-supported smear campaign against TISZA continues on the Facebook pages of county newspapers]*, 10 January 2026, https://politicalcapital.hu/hirek.php?article_read=1&article_id=3621

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

1. Information on measures taken to follow-up on the recommendations received in the 2025 Rule of Law Report regarding the system of checks and balances

In the 2025 Rule of Law Report³⁹³ it was recommended to Hungary to “[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”.

However, as detailed below under Questions IV.16–18. and IV.20., no steps have been taken to comply with this recommendation, and instead of progress, the environment for CSOs and human rights defenders has further deteriorated, marked by increasing political pressure, stigmatisation, and legal uncertainty.

Administrative burdens, delayed registrations, and a law transferring the CSO registry from the courts to a yet unspecified authority raise concerns. Several restrictive laws remain in force, including those enabling audits without adequate justification or safeguards, broad “investigations” and public stigmatisations by the SPO, a criminal provision deterring the provision of legal assistance to asylum-seekers, and a punitive tax on migration-related funding. In 2025, the situation escalated with the proposed Bill on the Transparency of Public Life, which would allow blacklisting, funding bans and ultimately the dissolution of CSOs and media outlets without effective remedies, causing widespread concerns despite its postponed adoption (see Question IV.16. for details). Government rhetoric increasingly vilified CSOs and independent actors, which was amplified by pro-government media and reports by the SPO, with the smear campaigns contributing to a chilling effect in civil society. Activists and professionals faced criminal procedures, workplace retaliation, and dismissals for speaking out or showing solidarity, fostering self-censorship. Access to funding is increasingly constrained by political narratives targeting foreign support, opaque state grant systems favouring pro-government groups, and the chilling effect of threatening legislative steps, undermining CSOs’ sustainability and effectiveness.

A constitutional amendment and related statutory changes led to the banning of both the Budapest Pride and the Pécs Pride.

³⁹³ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf

A. The process for preparing, enacting and implementing laws

2. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'/public consultations, and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase [single market relevance]

The transparency and quality of the legislative process and the efficiency of public consultations remain a serious source of concern due to regulatory shortcomings, the circumvention of rules, and a deeply flawed practice.³⁹⁴

Regulatory flaws include that the range of exceptions when draft laws do not have to or must not be subject to public consultation remains wide, and the non-compliance or only formal compliance with the rules have no real consequences.³⁹⁵

It still occurs that significant laws are not published for public consultation, which happened in 2025 e.g. in the case of the law yet again authorising the Government to extend the state of danger and override Acts of Parliament.³⁹⁶

In other instances, in an attempt to circumvent the public consultation obligation, the Government introduces laws to the Parliament that are clearly part of government policy via governing majority MPs or parliamentary committees. Examples from 2025 include the 15th Amendment to the Fundamental Law, undermining the rights of LGBTQI+ persons and freedom of assembly and allowing for the “suspension” of Hungarian citizenship, which was proposed by governing party MPs,³⁹⁷ along with a related statutory amendment that banned LGBTQI-themed demonstrations.³⁹⁸ These laws followed months of hostile governmental rhetoric.³⁹⁹ In its related opinion, the Venice Commission raised once again that “the amendments [...] were adopted without ensuring an inclusive public debate and in the absence of a genuine consultation of all the relevant stakeholders”, and added that “[f]rom the perspective of democratic standards for the legislative process, the legitimacy of the adopted

³⁹⁴ For a comprehensive overview, see: Hungarian Helsinki Committee, *Deficiencies of the Law-Making Process in Hungary*, 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/08/HHC_law-making_process_mapping_paper_2025.pdf. For more details on public consultation, see: Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary's compliance with conditions to access European Union funds*, November 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/12/HU_EU_funds_assessment_2025.pdf, pp. 36–43.

³⁹⁵ For details, see e.g.: *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/01/HUN_CSO_contribution_EC_RoL_Report_2023.pdf, p. 56.

³⁹⁶ Act LXXVII of 2025 on Amending Act XLII of 2022 on Eliminating and Managing the Consequences in Hungary of an Armed Conflict and Humanitarian Catastrophe in a Neighbouring Country

³⁹⁷ See the bill's data page on the Parliament's website: [T/11152](https://www.parlament.hu/T/11152).

³⁹⁸ See the bill's data page on the Parliament's website: [T/11153](https://www.parlament.hu/T/11153).

³⁹⁹ For more details, see: Hungarian Helsinki Committee, *Exclusion and threatening dissenters on a constitutional level – Information note on the 15th Amendment to Hungary's Fundamental Law and accompanying laws*, 19 March 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/03/HHC_info_note_15th_Amendment_19032025.pdf; Amnesty International Hungary – Hättér Society – Hungarian Civil Liberties Union – Hungarian Helsinki Committee, *Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary*, 21 March 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/03/AIHU_Hatter_HCLU_HHC_Pride_03202025.pdf.

constitutional amendments may be doubted”.⁴⁰⁰ The Bill on the Transparency of Public Life⁴⁰¹ (see Question IV. 16.) and an amendment removing campaign spending limits were also proposed by governing party MPs.⁴⁰² Another avenue used is the Legislative Committee of the Parliament, a super committee the composition of which reflects that of the Parliament and which can introduce amendments to any bill directly prior to the plenary vote.

Ministries almost never provide a longer consultation period than the statutory minimum of eight days, irrespective of the length and complexity of the draft law. The titles and summaries of the published legislative packages rarely indicate clearly the subject matter of the proposals, and laws are recurrently published for consultation with extremely short reasoning. The overwhelming majority of opinions submitted are rejected by the Government without any real reasoning. It also occurs that laws are submitted/adopted while the consultation period is still open: in 2025, this happened e.g. in relation to a law on public interest asset management foundations⁴⁰³ and a government decree on adoption.⁴⁰⁴

According to the oversight report of the Government Control Office (KEHI),⁴⁰⁵ legislative targets were formally achieved in 2024, i.e. at least 90% of all government decrees, ministerial decrees and governmental bills were subject to public consultation. However, documents acquired from the KEHI by the Hungarian Helsinki Committee through litigation show that the reporting by the ministries to the KEHI and the assessment by the KEHI are both more formal “checking the box” exercises rather than a meaningful assessment of the practice. The templates for ministries⁴⁰⁶ and the filled-in templates submitted by them to the KEHI regarding 2023⁴⁰⁷ show that the ministries provide the legal basis for not putting a draft law to public consultation only by pointing to one of the two exemption categories in the law, i.e. it does not have to or must not be published for consultation, but do not pinpoint the exact basis within

⁴⁰⁰ 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, 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. 84.

⁴⁰¹ See the bill’s data page on the Parliament’s website: [T/11923](https://www.parlament.hu/T/11923).

⁴⁰² See the bill’s date page on the Parliament’s website: [T/12109](https://www.parlament.hu/T/12109). The amendment was adopted in the fast-track “discussion with urgency” procedure, was promulgated as Act LXVIII of 2025, and entered into force the day after it was promulgated.

⁴⁰³ The public consultation site showing that the deadline for commenting was 20 May 2025 is available here: <https://kormany.hu/dokumentumtar/egyes-vagyonkezes-alapitvanyokrol-es-azoknak-torteno-vagyonjuttatasrol-sz-tv>, the site showing that the bill was submitted to the Parliament on 13 May 2025 is available here: [T/11921](https://www.parlament.hu/T/11921).

⁴⁰⁴ See e.g.: <https://telex.hu/belfold/2025/12/27/orokbefogadas-tarsadalmi-egyeztetes-magyar-kozlony-kormanyrendelet>.

⁴⁰⁵ Available at:

<https://cdn.kormany.hu/uploads/document/9/94/944/9442347cdec31682e90370e9eddc9ce29f63bcd1.pdf>.

⁴⁰⁶ See the following documents in this regard:

- the template to be filled in by ministries: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_2_miniszteriumi-jelentes_minta.pdf,

- the annex to be filled in by ministries: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_3_miniszteriumi-jelentes-melleklete_minta.pdf.

⁴⁰⁷ See the following documents in this regard:

- templates filled in by the ministries for 2023: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_8_miniszteriumi-jelentesek_2023.-ev.pdf,

- annexes filled in by the ministries for the 1st half of 2023: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_9_miniszteriumi-jelentesek_kitoltott_mellekletek_2023.-1.-felev.pdf,

- annexes filled in by the ministries for the 3rd quarter of 2023: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_10_miniszteriumi-jelentesek_kitoltott_mellekletek_2023.-3.-negyedev.pdf,

- annexes filled in by the ministries for the 4th quarter of 2023: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_11_miniszteriumi-jelentesek_kitoltott_mellekletek_2023.-4.-negyedev.pdf.

those categories enumerated by the law (e.g. “state subsidies” or “national security”, etc.),⁴⁰⁸ and do not provide any related explanation either.⁴⁰⁹ There were instances in 2023 when the ministries cited causes for omitting public consultation which are not statutory grounds, such as urgency,⁴¹⁰ or, in the case of a law curtailing the powers of the Hungarian Medical Chamber,⁴¹¹ “the Government’s decision”.⁴¹² Similarly, the tables in which the KEHI assesses compliance basically only foresee a “yes/no” level of assessment.⁴¹³

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. The new methodology for impact assessments, due by the end of 2023 under the RRP, has not yet been adopted.⁴¹⁴

Rules allowing for public hearings by local governments and administrative authorities without the public’s actual presence, held through electronic means (emails, etc.), remain in place.⁴¹⁵

⁴⁰⁸ According to Article 5(3) of Act CXXXI of 2010 on Public Participation in Preparing Laws, it is not obligatory to submit for public consultation draft laws on the following topics: a) payment obligations, b) state subsidies, c) the state budget and its implementation, d) subsidies provided from European Union or international sources, e) the promulgation of international treaties, f) the establishment of organisations and institutions, and (as of 19 August 2025) g) the list of first names pursuant to Article 44(3) and Article 46(3) of Act I of 2010 on the Civil Registration Procedure. Pursuant to Article 5(4) of Act CXXXI of 2010, draft laws and concepts shall not be submitted for public consultation if such consultation would jeopardise Hungary’s particularly important interests in the areas of national defence, national security, finance, foreign affairs, nature conservation, environmental protection, or heritage protection.

⁴⁰⁹ In 2023, there were only two exceptions where a ministry included the exact basis, but the further explanation provided was minimal in these instances as well. See: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_8_miniszeriumi-jelentesek_2023.-ev.pdf, p. 53. – information provided by the Ministry of Justice.

⁴¹⁰ See: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_8_miniszeriumi-jelentesek_2023.-ev.pdf, p. 28., regarding Decree 12/2023. (V. 19.) MK of the Cabinet Office of the Prime Minister; and p. 50., regarding Government Decree 368/2023. (VIII. 7.), prepared by the Ministry of Defence.

⁴¹¹ Act I of 2023 on Amending Act XCVII of 2006 on Professional Chambers in the Health Sector and Act CLIV of 1997 on Health Care. For more information, see e.g.: <https://telex.hu/english/2023/02/28/a-battle-of-wills-hungarian-doctors-vs-the-government>; <https://telex.hu/english/2023/03/03/the-bill-on-medical-chamber-could-threaten-eu-funds-for-hungary>; *Response of the Hungarian Helsinki Committee to Service Request no. 14. – FRANET contributions to the Fundamental Rights Report 2024 / Threats to democratic values*, 29 September 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/10/HHC-reply_FRANET-service-request-no-14_20230928.pdf, p. 14. (Section 2.4.).

⁴¹² See: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_8_miniszeriumi-jelentesek_2023.-ev.pdf, pp. 4., 37. and 70. – the Act of Parliament was prepared by the Ministry of Interior.

⁴¹³ See the following documents in this regard:

- the KEHI’s oversight methodology: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_1_ellenorzesi-modszertan.pdf,
- the KEHI’s general assessment table for 2022: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_4_2022.-evi-ellenorzes_munkatabla.pdf,
- the KEHI’s assessment table for 2022 on whether the required documents were displayed on the website dedicated for public consultation: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_5_2022.-evi-ellenorzes_honlap.pdf,
- the KEHI’s general assessment table for 2023: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_6_2023.-evi-ellenorzes_munkatabla.pdf,
- the KEHI’s assessment table for 2023 on whether the required documents were displayed on the website dedicated for public consultation: https://helsinki.hu/wp-content/uploads/2025/11/KEHI_7_2023.-evi-ellenorzes_honlap.pdf.

⁴¹⁴ At the time of writing the present contribution, the documents available on the respective government website (<https://hatasvizsgalat.kormany.hu/a-hatasvizsgalati-rendszer>) predate the RRP.

⁴¹⁵ As of 1 January 2024, Act LXX of 2023 on Provisions Relating to Further Simplifying the State’s Administration allows local governments, nationality self-governments and administrative authorities to hold public hearings without the personal attendance of the public, and even only via publishing materials on their websites. For more details, see: *Response of the Hungarian Helsinki Committee to Service Request no. 14. – FRANET contributions to the Fundamental Rights Report 2024 / Threats to democratic values*, 29 September 2023,

In November 2025, the Meeting of the Parties to the Aarhus Convention⁴¹⁶ issued a caution to Hungary (to become effective on 1 January 2028), because the Government has failed to ensure transparency and the meaningful engagement of the public in the licensing of the planned Paks II nuclear power plant.⁴¹⁷

3. Rules and use of fast-track procedures and emergency procedures *[single market relevance]*

Parliamentary Resolution 10/2014. (II. 24.) OGY on Certain Provisions of the Standing Orders establishes three main fast-track parliamentary procedures.

A “discussion with urgency”⁴¹⁸ can be ordered by a two-thirds majority of the MPs present, upon the motion of the submitter of the bill, however, not more than six times in any six-month period. It allows for the adoption of a bill within six days.

An “exceptional procedure”⁴¹⁹ can be ordered by the Parliament with a majority of the votes of all the MPs upon the motion of the submitter of the bill. This procedure may be ordered up to four times every six months, and there are certain topics regarding which no exceptional procedure may be conducted. Bills debated in an exceptional procedure can be adopted even the day after their submission.

A “derogation from the provisions of the Standing Orders”⁴²⁰ may be ordered by the vote of at least four-fifths of the MPs present, upon the proposal of the House Committee. No derogation may be ordered with respect to the adoption or amendment of the Fundamental Law, international treaties, and the Parliament’s Standing Orders. Since no minimum time limits are set out, a derogation from the provisions of the Standing Orders can mean that the bill is adopted the same day as it is submitted.

As far as the practice is concerned, from among the 136 Acts of Parliament promulgated in 2025, two were adopted in a discussion with urgency procedure. One of these was Act LXVIII of 2025 on Amending Act LXXXVII of 2013 on the Transparency of Campaign Costs Related to the Election of the Members of the Parliament, adopted on 26 June 2025,⁴²¹ which removed limits on campaign costs. Prior to the amendment, candidates and parties were required to keep their campaign expenditure within a certain limit. This limit was set too low and was not strictly adhered to, nor consistently enforced by state authorities. However, although the limit itself was due to be increased, abolishing it does not serve the electoral competition, as it

https://helsinki.hu/en/wp-content/uploads/sites/2/2023/10/HHC-reply_FRANET-service-request-no-14_20230928.pdf, p. 15.

⁴¹⁶ Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

⁴¹⁷ See: https://unece.org/sites/default/files/2025-11/CRP_6_Rev2_MOP8_Decisions_Outcomes_20Nov2025.pdf. The respective report of the Compliance Committee is available here: https://unece.org/sites/default/files/2025-11/ECE.MP_PP_2025.47.E.pdf. See also the statement of Energiaklub Climate Policy Institute and Greenpeace Hungary here: <https://energiaklub.hu/cikk/elmarasztaltak-a-magyar-kormanyt-paks2-miatt-mert-nem-tartotta-be-az-aarhusi-egyezményt>.

⁴¹⁸ Parliamentary Resolution 10/2014. (II. 24.) OGY on Certain Provisions of the Standing Orders, Article 60

⁴¹⁹ Parliamentary Resolution 10/2014. (II. 24.) OGY on Certain Provisions of the Standing Orders, Articles 61–64

⁴²⁰ Parliamentary Resolution 10/2014. (II. 24.) OGY on Certain Provisions of the Standing Orders, Article 65

⁴²¹ See the bill’s data page on the Parliament’s website: [T/12109](https://t12109).

benefits the governing parties. The bill was submitted to the Parliament by three governing party MPs on 6 June, eight days after the Minister of the Prime Minister's Office responded to a journalist's question that the Government had no intention of amending the electoral laws prior to the 2026 general election. The other Act of Parliament adopted in a discussion with urgency procedure in December 2025 was Act CXXXIV of 2002 on the Granting of a Loan to Prevent the Bankruptcy of the Municipal Government of the Capital,⁴²² which was another chapter in the long debate between the Government and the opposition-led municipality of Budapest, with the mayor blaming the Government's measures for the city's fiscal difficulties, developing e.g. due to an increasing "solidarity contribution" the city has to pay while its revenues have been decreased.⁴²³

Five bills were adopted in an exceptional procedure in 2025,⁴²⁴ one of them being the law aimed at banning Budapest Pride and LGBTQI+ themed assemblies in general (see Question IV.20.).⁴²⁵ The bill was forced through the Parliament in little over 24 hours: it was submitted to the Parliament on 17 March 2025, was adopted on 18 March 2025 and was promulgated on the same day.⁴²⁶

In 2025, one bill was adopted in derogation from the provisions of the Standing Orders.⁴²⁷

From among the 76 parliamentary resolutions promulgated in 2025, only one was adopted in an exceptional procedure,⁴²⁸ and none of them was adopted in a discussion with urgency procedure or in derogation from the Standing Orders.

Thus, in terms of their proportion, fast-track procedures are not particularly overused. However, the subject matter of some of the laws adopted in such procedures throughout the years and the circumstances surrounding them show that fast-track procedures are used also regarding bills that are of high significance, controversial, or trigger protest.⁴²⁹ This approach undermines the possibilities of both the public and opposition politicians to assess such bills and step up against them when necessary.

Finally, it has to be highlighted that under the continued "state of danger", the Government has a virtually unlimited possibility to override Acts of Parliament practically overnight (see Question IV.5.).

⁴²² See the bill's data page on the Parliament's website: [T/13252](#).

⁴²³ For more background, see e.g.: <https://telex.hu/english/2025/12/02/we-wont-kneel-before-the-government-to-get-our-money-back-budapest-mayor-says>.

⁴²⁴ See the bills' data pages on the Parliament's website: [T/11201](#), [T/12108](#), [T/13083](#), [T/13110](#), [T/13270](#).

⁴²⁵ Act III of 2025 on Amending Act LV of 2018 on the Freedom of Assembly in Relation to the Protection of Children and on the Amendment of Related Acts. See the bill's data page on the Parliament's website: [T/11201](#).

⁴²⁶ For more details, see: Amnesty International Hungary – Hättér Society – Hungarian Civil Liberties Union – Hungarian Helsinki Committee, *Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary*, 21 March 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/03/AIHU_Hatter_HCLU_HHC_Pride_03202025.pdf.

⁴²⁷ See the bill's data page on the Parliament's website: [T/13099](#).

⁴²⁸ See the resolution's data page on the Parliament's website: [H/12600](#).

⁴²⁹ For further examples, see: Hungarian Helsinki Committee, *Deficiencies of the Law-Making Process in Hungary*, 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/08/HHC_law-making_process_mapping_paper_2025.pdf, pp. 13–14.

4. Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination [single market relevance]

Conclusions by the 2025 Rule of Law Report such as that “*frequent changes of key laws continue to weaken legal certainty and negatively affect the business environment*” and that the extensive use of emergency powers “*undermin[es] legal certainty and affect[s] the operation of businesses in the single market*”⁴³⁰ remain valid. (On the use of emergency powers, see Question IV.5.)

The European Commission also raised in its recommendations for the Country Specific Recommendations in the framework of the 2025 European Semester⁴³¹ that “[t]he longstanding emergency regime limits public consultation and makes it possible to introduce sudden, often major, policy shifts potentially disrupting normal business operations”, and recommended to the Hungarian government to “[i]mprove the regulatory framework [...] by [...] reducing the use of emergency measures to what is strictly necessary”, among others.

Examples for emergency government decrees adopted in 2025 that concerned business operations include Government Decree 7/2025. (I. 31.),⁴³² which has frozen the price of electricity purchased from industrial solar power plant operators for up to five years;⁴³³ Government Decree 93/2025. (V. 8.), which introduced a margin cap for certain household goods and drugstore products;⁴³⁴ Government Decree 163/2025. (VI. 23.),⁴³⁵ which extended the state’s deadline to approve acquisitions by foreign companies, and prescribes that if the acquisition is not approved, the state may exercise pre-emptive rights under the terms and conditions of the transaction in question;⁴³⁶ or Government Decree 176/2025. (VI. 30.) on the Imposition of Austerity Measures on State-Owned Companies. Several emergency decree provisions elevated to a statutory level via Act L of 2025⁴³⁷ also have a negative effect on competition and are now part of the ordinary legal system.

⁴³⁰ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, pp. 23–24.

⁴³¹ Available at: https://commission.europa.eu/document/download/60e352ef-04a5-45ba-8793-717029584168_en?filename=COM_2025_217_1_EN_ACT_part1_v3.pdf.

⁴³² Government Decree 7/2025. (I. 31.) on Applying in the State of Danger Act LXVII of 2008 on Making District Heating More Competitive and Government Decree 389/2007. (XII. 23.) on the Mandatory Purchase and Purchase Price of Electricity Generated from Renewable Energy Sources or Waste, as well as Cogenerated Electricity

⁴³³ See e.g.: <https://444.hu/2025/01/31/a-kormany-egy-azonnal-hatalyba-lepo-rendelettel-2029-ig-befagyasztotta-a-napelemesektol-atvett-aram-arat>.

⁴³⁴ Government Decree 93/2025. (V. 8.) on Measures Necessary to Reduce the Price of Drugstore Products

⁴³⁵ Government Decree 163/2025. (VI. 23.) on Amending Government Decree 561/2022. (XII. 23.) on the Different Application of Certain Provisions Necessary for the Protection of Hungarian Business Associations for Economic Purposes During the State of Danger

⁴³⁶ See e.g.: <https://telex.hu/gazdasag/2025/06/25/ceg-m-a-vallalat-felvasarlas-cegertek>.

⁴³⁷ Act L of 2025 on Raising Emergency Decrees Promulgated in View of the Armed Conflict in Ukraine to the Level of an Act of Parliament

5. Rules and application of states of emergency, including judicial review and parliamentary oversight

The Government continues to have excessive emergency regulatory powers under the “state of danger” and to use its mandate to issue emergency government decrees in an abusive manner,⁴³⁸ with the respective legal framework and practice being in stark contrast with the requirements set out by the Venice Commission.⁴³⁹ This continues to undermine legal certainty, results in human rights violations, and has a negative impact on business environment and investment protection.

As detailed in our previous contributions, the Government first acquired emergency powers with a view to the pandemic in 2020, when it declared the state of danger, a special legal order regime included in the Fundamental Law. The Government has been maintaining a “rule by decree” system ever since, with only a few months of intermission, and, since 2022, using the war in Ukraine as a pretext for keeping its excessive regulatory powers. Along the way, special legal order rules were amended to concentrate power in the hands of the executive.⁴⁴⁰

The 15th Amendment to the Fundamental Law changed the rules again: as of 1 January 2026, the Government needs a two-thirds majority authorisation from the Parliament not only to extend the state of danger beyond 30 days, but also to override Acts of Parliament in a state of danger.⁴⁴¹ The authorisation can be given for six months per occasion, in a general manner, i.e. regarding all potential regulatory areas listed in the respective law, or regarding certain regulatory areas.⁴⁴² However, the problem remains that these regulatory areas are worded in an overly broad manner, providing the Government with a *carte blanche* mandate also to suspend or restrict most fundamental rights beyond the extent permissible under ordinary circumstances; there is no automatic and regular parliamentary oversight over individual emergency decrees; and the effective constitutional review of decrees is not ensured.

⁴³⁸ For a comprehensive overview, see: Hungarian Helsinki Committee, *Deficiencies of the Law-Making Process in Hungary*, 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/08/HHC_law-making_process_mapping_paper_2025.pdf pp. 20–24.

⁴³⁹ Cf.: European Commission for Democracy Through Law (Venice Commission), *Report – Respect for Democracy, Human Rights and the Rule of Law During States of Emergency: Reflections*, CDL-AD(2020)014, 19 June 2020, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2020\)014-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2020)014-e).

⁴⁴⁰ A detailed analysis of the related changes brought by the 9th Amendment to the Fundamental Law, covering also the special order regimes beyond the state of danger, is available here: Gábor Mészáros: *Exceptional Governmental Measures without Constitutional Restraints*, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/01/Meszaros_special_legal_order_02112022.pdf – cf. European Commission for Democracy Through Law (Venice Commission), *Hungary – Opinion on the constitutional amendments adopted by the Hungarian parliament in December 2020*, 2 July 2021, CDL-AD(2021)029, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2021\)029-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2021)029-e). For details on the changer brought by the 10th Amendment to the Fundamental Law, see: Hungarian Helsinki Committee, *The 10th Amendment to the Fundamental Law: the Hungarian Government is using the war in Ukraine as a pretext to keep its excessive regulatory powers*, 5 May 2022, https://helsinki.hu/en/wp-content/uploads/sites/2/2022/05/HHC_HU_10th_const_amendment_05052022.pdf. A summary paper is available here: Hungarian Helsinki Committee, *Hungary: Perpetuated States of Exception Undermine Legal Certainty and Human Rights*, 2 April 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/04/HHC_Hungary_states_of_exception_20240402.pdf.

⁴⁴¹ Fundamental Law, Article 53(1), as in force since 1 January 2026

⁴⁴² Act XCIII of 2021 on the Coordination of Defence and Security Activities, Articles 80 and 82/A

The Government extended the state of danger twice in 2025 with the statutory maximum of six months⁴⁴³ upon the authorisation of the governing majority, and, as of 1 January 2026, the Parliament granted the Government a general authorisation to override Acts of Parliament (i.e. in all potential regulatory areas).⁴⁴⁴ The state of danger is currently extended until 13 May 2026.

The draft law on authorising the Government to extend the state of danger in the spring was put to public consultation with a three-sentence reasoning.⁴⁴⁵ CSOs shared their concerns regarding the draft in the framework of the public consultation,⁴⁴⁶ but the Government summarily rejected these.⁴⁴⁷ In the autumn, the respective law was not even put to public consultation.

The Government continues to use its mandate to issue emergency decrees rather extensively: in 2025, 17% of all government decrees (84 out of 490) were adopted as emergency decrees.

The practice of adopting emergency decrees for purposes not related to the cause of the state of danger (presently the war in Ukraine)⁴⁴⁸ continues as well. For example,

- Government Decree 270/2025. (VIII. 13.)⁴⁴⁹ amended data processing rules in a way that allowed the Government to use data on tax exemption eligibility for targeted campaign messaging;⁴⁵⁰
- Government Decree 386/2025. (XII. 10.)⁴⁵¹ transferred juvenile correctional institutions from child protection services to law enforcement oversight as of the day of its promulgation, after severe allegations of abuses came to light, the transfer giving rise to concerns among experts;⁴⁵² while Government Decree 293/2025. (IX. 24.)⁴⁵³ instructed

⁴⁴³ Via Government Decree 97/2025. (V. 12.) and Government Decree 343/2025. (X. 31.).

⁴⁴⁴ Act XLII of 2022 on Eliminating and Managing the Consequences in Hungary of an Armed Conflict and Humanitarian Catastrophe in a Neighbouring Country, Article 2(1a)

⁴⁴⁵ See the relevant documents here: <https://kormany.hu/dokumentumtar/a-2022-evi-xlii-torveny-modositasrol>. The reasoning is available here: <https://kormany.hu/application/documents/ae673c4f-6ee1-4f49-9d93-22d1847dbd38/download>.

⁴⁴⁶ The opinion submitted jointly by Amnesty International Hungary, the Hungarian Civil Liberties Union and the Hungarian Helsinki Committee in April 2025 is available here: https://helsinki.hu/wp-content/uploads/2025/04/AI-MHB-TASZ_velemen_y_veszelyhelyzet_20250402.pdf.

⁴⁴⁷ See the Government's summary reasoning concerning the opinion submitted by the CSOs here: <https://kormany.hu/application/documents/0e190c58-28bf-409d-9e4c-6e840204a186/download>.

⁴⁴⁸ For examples from 2022, 2023 and 2024, see: Hungarian Helsinki Committee, *Deficiencies of the Law-Making Process in Hungary*, 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/08/HHC_law-making_process_mapping_paper_2025.pdf, pp. 21–23.

⁴⁴⁹ Government Decree 270/2025. (VIII. 13.) on the Emergency Rules of Data Processing for Information Provision Purposes

⁴⁵⁰ See e.g.: <https://telex.hu/belfold/2025/08/14/nav-mak-kormany-tajekoztatás>, <https://telex.hu/belfold/2025/12/10/nemzeti-ado-es-vamhivatal-haromgyermekes-anyak-adokedvezmenye>.

⁴⁵¹ Government Decree 386/2025. (XII. 10.) on Immediate Measures Related to the Management of Correctional Institutions

⁴⁵² See for example the related statement of the Child Rights Coalition of 12 December 2025: https://gyermekjogicivilkoalicio.hu/wp-content/uploads/2025/12/gyick_a%CC%81la%CC%81sfoglala%CC%81s_iskolao%CC%8Br_20251212.pdf; and the statement of the Hungarian Helsinki Committee of 10 December 2025: <https://helsinki.hu/nem-eleg-az-atcimkezes-es-a-kirakatakcio/>.

⁴⁵³ Government Decree 293/2025. (IX. 24.) on Measures Necessary to Investigate the Abuses at the Szőlő Street Juvenile Correctional Institution and for the Protection of Children

the Minister of Justice to investigate the issue (albeit it seems that his report was ready before the decree even entered into force⁴⁵⁴);

- Government Decree 297/2025. (IX. 26.) established a “national anti-terrorism list”;⁴⁵⁵
- Government Decree 360/2025. (XI. 18.)⁴⁵⁶ authorised the police to close businesses for up to three months if criminal proceedings have been initiated for drug-related offences allegedly committed on their premises.⁴⁵⁷

On occasion, provisions of emergency decrees are elevated to statutory level, cementing measures supposedly designed for an exceptional situation into the ordinary legal system. In 2025, this happened in the case of several emergency decree provisions via Act L of 2025⁴⁵⁸ and the “national anti-terrorism list” via Act CXXV of 2025.⁴⁵⁹

The “state of crisis due to mass migration”, a quasi state of exception which is not provided for by the Fundamental Law and which can be declared and extended by the Government every six months without any meaningful control, continues to apply as well. The Government declared this state of crisis for the whole of Hungary in March 2016, and has repeatedly extended it ever since, often in periods when its statutory conditions were not even in place, the last time in August 2025, until 7 March 2026.⁴⁶⁰ Derogations allowed under this state of crisis include that push-backs are legalised from the entire territory of Hungary⁴⁶¹ – a practice which the CJEU found to be in violation of EU law in 2020.⁴⁶²

6. Regime for constitutional review of laws

The conclusion by the 2025 Rule of Law Report that “[i]nstitutional checks and balances [are] weak”⁴⁶³ remains valid, and concerns about the independence of the Constitutional Court persist. The rules that allow the governing majority to fill vacancies in the Constitutional Court unilaterally, without support from the opposition parties, remain in place.⁴⁶⁴ These made it

⁴⁵⁴ Government Decree 293/2025. (IX. 24.) entered into force at 13:00 on 24 September 2025, but the Minister of Justice posted on Facebook already at 11:59 a video in which he stated that he holds the investigation report in his hands: <https://www.facebook.com/reel/1579516556343510>.

⁴⁵⁵ Government Decree 297/2025. (IX. 26.) on the Emergency Rules for Action Against Certain Persons and Organisations in the Fight Against Terrorism

⁴⁵⁶ Government Decree 360/2025. (XI. 18.) on the Emergency Rules Related to the Prohibition of the Production, Use, Distribution, and Promotion of narcotics

⁴⁵⁷ For a critical account of the decree, see e.g.: <https://drogriporter.444.hu/2025/11/19/veszhelyzeti-gumirendelet-a-drogellenes-kulturhaboru-ujabb-eszkoze>.

⁴⁵⁸ Act L of 2025 on Raising Emergency Decrees Promulgated in View of the Armed Conflict in Ukraine to the Level of an Act of Parliament

⁴⁵⁹ Act CXXV of 2025 on the Amendment of Certain Acts of Parliament Serving to Protect Public Order and Strengthen Public Safety, Combat Terrorism and Maintain the Unity of the Legal System

⁴⁶⁰ Government Decree 68/2025. (VIII. 13.) on Amending Government Decree 41/2016. (III. 9.) on the Declaration of the State of Crisis due to Mass Migration Throughout the Territory of Hungary and on the Rules Related to the Declaration, Existence and Termination of the State of Crisis

⁴⁶¹ Act LXXXIX of 2007 on State Borders, Article 5(1b)

⁴⁶² Judgment of the Court (Grand Chamber) in Case C-808/18, 17 December 2020, ECLI:EU:C:2020:1029

⁴⁶³ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 25.

⁴⁶⁴ See e.g.: Eötvös Károly Institute – Hungarian Civil Liberties Union – Hungarian Helsinki Committee – Transparency International Hungary, *Hungary Fact Sheet 1 – Undermining Constitutionality*, September 2014, https://helsinki.hu/wp-content/uploads/Hungary_fact_sheets_20140921.pdf, pp. 1–2.

possible for the governing majority to pack the Constitutional Court with loyal justices, and transform it into a body that is supportive of the Government's agenda, repeatedly ruling in favour of the incumbent parties in politically sensitive cases.⁴⁶⁵

As reported in our 2025 contribution, in December 2024, the governing majority amended the eligibility criteria for Constitutional Court justices as of 1 January 2025, broadening the pool of potential candidates by removing the requirement that the 20 years of "professional experience in the field of law" required shall be acquired "in a position [job] for which a law degree is required" (but the requirement of having a law degree was kept).⁴⁶⁶ Although the explanatory memorandum of the bill⁴⁶⁷ referred to European examples where professional experience is linked to the legal field rather than to a job with a law degree, no justification was provided as to why this amendment became necessary in Hungary, over a decade after the adoption of the original rules. In addition, it gave rise to concerns that the amendment came just months before the possibility for the governing parties to nominate new justices to the Constitutional Court opened up, especially with a view to the governing party's long history of adopting personalised, *ad hominem* pieces of legislation. The amendment was proposed by the Parliament's Justice Committee,⁴⁶⁸ meaning that no public consultation was held about it.

In its respective opinion, issued in 2025, the Venice Commission voiced concerns over the amendment being adopted "through a procedure which did not include any impact assessment or meaningful consultations with the public or with the relevant stakeholders", and noted that "this has become a repetitive issue in Hungary".⁴⁶⁹ The Venice Commission recommended Hungary to clarify "what kind of experience 'in the field of law' (acquired in a position for which there is no statutory requirement to have a law degree) would qualify a candidate to be appointed [...], in order to avoid any undue discretion of the appointing body".⁴⁷⁰

The governing majority went on to nominate and elect, in May and June 2025, three new Constitutional Court justices: the previous Prosecutor General (also elected by the Parliament as the new President of the Constitutional Court); a previous Minister of Defence and Chair of the Parliament's Legislative Committee by which last-minute amendments undermining the

⁴⁶⁵ See e.g.: *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, pp. 77–79.

⁴⁶⁶ Act LXVII of 2024 on the Amendment of Act CLI of 2011 on the Constitutional Court and on the Amendment of Act CLXIV of 2011 on the Legal Status of the Prosecutor General, Prosecutors and Other Members of the Prosecution Service and on the Career Path of Prosecutors, repealing Article 6(2) of Act CLI of 2011 on the Constitutional Court. The remaining requirements under Article 6 of Act CLI of 2011 on the Constitutional Court are as follows: "Any Hungarian citizen with no prior criminal record and who has the right to stand as a candidate in parliamentary elections shall be eligible for election into the Constitutional Court if he or she: a) has a law degree; b) is between forty-five years of age and seventy years of age; and c) is an academic lawyer with outstanding theoretical knowledge (university professor or doctor of the Magyar Hungarian Academy of Sciences) or have at least twenty years of professional experience in the field of law."

⁴⁶⁷ Available at: <https://www.parlament.hu/irom42/09998/09998.pdf>.

⁴⁶⁸ See the bill's data page on the Parliament's website: [T/9998](https://www.parlament.hu/irom42/09998/09998.pdf).

⁴⁶⁹ European Commission for Democracy Through Law (Venice Commission), *Hungary – Opinion on the constitutional and legislative amendments concerning the requirements to be appointed Prosecutor General and Constitutional Court Judge of Hungary, as well as the appointment and retirement of judges*, CDL-AD(2025)028, 16 June 2025, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)028-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)028-e), para. 65.

⁴⁷⁰ *Ibid.*, para. 71.

rule of law and fundamental rights had been introduced,⁴⁷¹ who would have been ineligible for the post without the above amendment; and the previous Commissioner for Fundamental Rights under whose tenure Hungary's national human rights institution lost its "A" status (see Question IV.7.).⁴⁷²

In late 2025, provisions concerning the Constitutional Court were amended once again.⁴⁷³ The new rules, in force since 1 January 2026, prescribe for example that the decisions of the Constitutional Court shall be promulgated in the Constitutional Court's own official gazette instead of the government-issued Hungarian Gazette – giving rise to assertions based on the Polish experience that the reason for the amendment was that this way, the promulgation of the decisions cannot be obstructed by a potential new government. The new rules also prescribe that the Parliament's decision declaring that the President of the Republic is "temporarily prevented from acting" shall be subject to a preliminary review by the Constitutional Court.

Favouring once again the Government, the Constitutional Court in 2025 ruled that the Minister of Justice had not "actually infringed" the NJC's right to comment on legislative proposals⁴⁷⁴ when he set a seven-day long deadline for commenting on a 124-page draft bill.⁴⁷⁵ Although it was prolonged, not even the extended deadline allowed the NJC to discuss the bill as a collective body in line with its statutes. The Constitutional Court took a fully formal approach, and rejected to assess whether the setting of the deadline had allowed the NJC to effectively exercise its rights, or to review the constitutionality of the legal framework which had allowed the Minister to render the NJC's right devoid of substance through setting an insufficient deadline.⁴⁷⁶ In doing so, the Constitutional Court ignored that it has a right and obligation to call on the legislator to amend legislative gaps and omissions leading to constitutional breaches.⁴⁷⁷ After the Constitutional Court's decision, in December 2025, the executive summary of an analysis written by an ad hoc committee⁴⁷⁸ of the NJC was published. The committee makes several legislative proposals, some of which pertain to safeguarding and strengthening the NJC's rights concerned (see more on this under Question I.6.).

⁴⁷¹ For details, see: Hungarian Helsinki Committee, *Deficiencies of the Law-Making Process in Hungary*, 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/08/HHC_law-making_process_mapping_paper_2025.pdf, Chapter 3.2.

⁴⁷² See Parliamentary Resolution 28/2025. (V. 20.) OGY on Electing the New Members of the Constitutional Court, Parliamentary Resolution 32/2025. (VI. 11.) OGY on Electing the President of the Constitutional Court, and Parliamentary Resolution 33/2025. (VI. 11.) OGY on Electing the New Member of the Constitutional Court.

⁴⁷³ Act CXI of 2025 on the Amendment of Certain Acts of Parliament Related to the Constitutional Court

⁴⁷⁴ "The NJC may apply to the Constitutional Court for legal remedy even in cases where the body responsible for preparing the legislation has not allowed the NJC to give its opinion on the draft legislation [...]" [Act CLXI of 2011 on the Organisation and Administration of Courts, Article 108/A(9)]

⁴⁷⁵ Even though the NJC managed to comment on the bill, it was of the view that the irrationally short deadline rendered their right to be consulted illusory. See: Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary's compliance with conditions to access European Union funds*, November 2025, https://www.amnesty.hu/wp-content/uploads/2025/12/HU_EU_funds_assessment_2025.pdf, p. 48.

⁴⁷⁶ Decision 8/2025. (IX. 25.) AB of the Constitutional Court, paragraph [16]

⁴⁷⁷ Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary's compliance with conditions to access European Union funds*, November 2025, https://www.amnesty.hu/wp-content/uploads/2025/12/HU_EU_funds_assessment_2025.pdf, p. 49.

⁴⁷⁸ The Committee for Identifying Measures to Promote the More Effective Functioning of the NJC was set up by Resolution 40/2025. (IV. 2.) OBT of the NJC with the aim to systematically review the operation of the NJC and to identify shortcomings of the legal regulation that hinder or impede the full realisation of the NJC's constitutional function and the effective exercise of its powers.

B. Independent authorities

7. Independence, resources, capacity and powers of national human rights institutions (NHRIs), of ombudsman institutions, of equality bodies and of supreme audit institutions

The finding by the 2025 Rule of Law Report that “[c]oncerns regarding the independence and effective functioning of the Commissioner for Fundamental Rights remain”⁴⁷⁹ is still valid.

As recalled in our previous contributions, in 2022 the Global Alliance of National Human Rights Institutions (GANHRI) downgraded the Commissioner for Fundamental Rights (CFR) as Hungary’s NHRI from an “A” to a “B” status since its inactivity in a number of areas (e.g. the rights of ethnic minorities, LGBTQI+ persons, human rights defenders, refugees and migrants, media pluralism, civic space and judicial independence) evidenced a lack of independence and compromised its compliance with the Paris Principles. It also deemed the CFR’s selection and appointment process not sufficiently broad and transparent.⁴⁸⁰

The deficiencies identified by GANHRI regarding the merits of the CFR’s work continue to exist, with the CFR demonstrating continued inactivity in almost all areas where its pre-2022 performance was deemed inadequate. This contributes to a severely diminished level of human rights protection in Hungary.⁴⁸¹

Out of the 41 reports published by the CFR in 2025,⁴⁸² none dealt with the rights of LGBTQI+ persons, despite grave violations on their rights in 2025 (see Question IV.20.), or the rights of refugees and migrants, despite continued rights violations suffered by them.⁴⁸³ None of these reports focused on the situation of human rights defenders and CSOs in general, media pluralism or judicial independence either, despite the wide-ranging problems prevalent in these areas as described in other chapters of this contribution. The statements and news pieces available on the CFR’s website do not cover any of the above topics or vulnerable groups either.⁴⁸⁴

The CFR’s annual report on the year 2024⁴⁸⁵ does not address the rights of LGBTQI+ persons, the situation of human rights defenders or CSOs, media pluralism (with the exception of a

⁴⁷⁹ European Commission, 2025 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/524bd8d4-33ba-4802-891f-d8959831ed5a_en?filename=2025%20Rule%20of%20Law%20Report%20-%20Country%20Chapter%20Hungary.pdf, p. 26.

⁴⁸⁰ Global Alliance of National Human Rights Institutions (GANHRI), *Report and Recommendations of the Virtual Session of the Sub-Committee on Accreditation (SCA)*, 14-25 March 2022, https://www.ohchr.org/sites/default/files/2022-04/SCA-Report-March-2022_E.pdf, pp. 43–47.

⁴⁸¹ For details, see this paper by Hungarian CSOs: *Persisting Failure to Step Up for Human Rights – Background Paper on Hungary’s National Human Rights Institution*, 17 June 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/06/HU_NHRI_assessment_June2025.pdf.

⁴⁸² The reports of the CFR are available here: <https://www.ajbh.hu/web/guest/jelentesek-inditvanyok-allasfoglalasok>.

⁴⁸³ For details, see e.g. the Hungarian Helsinki Committee’s written statement of 15 October 2025, submitted in the framework of the OSCE Warsaw Human Dimension Conference 2025: <https://helsinki.hu/en/wp-content/uploads/sites/2/2025/11/OSCE-Warsaw-Human-Dimension-Conference-2025-refugees.pdf>.

⁴⁸⁴ The CFR’s public statements are available here: <https://www.ajbh.hu/kozlemenyek>; the collection of news pieces is available here: <https://www.ajbh.hu/hirek> (for news pieces issued under the current CFR) and here: <https://web.archive.org/web/20250713225830/https://www.ajbh.hu/hirek-esemenyek> (for news pieces issued under the previous CFR).

⁴⁸⁵ *Beszámoló az alapvető jogok biztosának és helyetteseinek tevékenységéről 2024 [Report on the activities of the Commissioner for Fundamental Rights of Hungary and its Deputies in 2024]*,

brief mention of the “media rights” of national minorities) or judicial independence either. Even though the report touches upon the situation of those fleeing Ukraine and the CFR’s related activities (including a statement by the Deputy Commissioner for Minorities on limiting state-founded housing for refugees from Ukraine⁴⁸⁶), it does not address the systemic issues affecting refugees and migrants coming from other countries. The report shows that the CFR did not submit a constitutional review request to the Constitutional Court in 2024.

CSOs continued to experience repeated lack of response from the CFR to requests or complaints submitted on behalf of their clients concerning politically sensitive human rights violations. In addition, as reported in previous contributions, the problematic abolishing of independent, specialised human rights mechanisms and merging them into the CFR’s Office (the Independent Law Enforcement Complaints Board in 2020 and the Equal Treatment Authority in 2021) have led to weakened protection against discrimination and police abuse. The CFR was designated as Hungary’s national preventive mechanism (NPM) under the OPCAT as of 2015, but its monitoring of places of detention is deficient: the NPM’s capacities remain insufficient; the CFR often fails to respond to related CSO complaints in time or at all; and even though the NPM carried out a significant number of visits, their methodology and the reports about them suffer from deficiencies.⁴⁸⁷

The selection and appointment system of the CFR remains inadequate, and despite a request from civil society to have a broad, transparent and merit-based selection process,⁴⁸⁸ the selection of the new CFR candidate in 2025 was carried out by the President of the Republic again in breach of the Paris Principles. The new CFR, in office since 26 September 2025,⁴⁸⁹ is the previous President of the Constitutional Court.

After the previous CFR, the mandate of the Deputy Commissioner for Minorities expired as well on 3 November 2025. Before leaving office, the Deputy Commissioner published two significant documents on the CFR’s website: a “public warning” that the application of Act XLVIII on the Protection of Local Identity confirms previous concerns that the law would be used by municipalities to prevent the moving in of Roma persons and members of other marginalised groups, and a position paper on the role of denominational schools in the segregation of Roma children. On 17 November 2025, it was reported by the media that all position papers of the Deputy Commissioner had been removed from the CFR’s website.⁴⁹⁰ Subsequently, the CFR’s Office issued a press release,⁴⁹¹ stating that the above two documents issued by the Deputy Commissioner had been published in violation of the rules

<https://www.parlament.hu/irom42/11125/11125.pdf> (the report has not yet been approved by the Parliament at the time of writing).

⁴⁸⁶ Available at: <https://www.ajbh.hu/-/a-nemzetis%C3%A9gi-ombudsmanhelyettes-%C3%BCzenete-az-ukrain%C3%A1b%C3%B3l-menek%C3%BCI%C5%91k-elhelyez%C3%A9s%C3%A9hez-ny%C3%BAjtott-%C3%A1llami-t%C3%A1mogat%C3%A1s-szab%C3%A1lyainak-m%C3%B3dos%C3%ADt%C3%A1s%C3%A1val-kapcsolatban>.

⁴⁸⁷ For details, see: Háttér Society – Hungarian Helsinki Committee, *The last piece of the puzzle? – Assessing the performance of Hungary’s national human rights institution*, 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/12/HHC_Assessment_of_Hungarian_NHRI_2024.pdf; https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HHC_Assessment_of_Hungarian_NHRI_summary_2024.pdf.

⁴⁸⁸ <https://helsinki.hu/en/hungarys-new-commissioner-for-fundamental-rights-should-be-selected-in-a-transparent-and-merit-based-procedure/>

⁴⁸⁹ Parliamentary Resolution 40/2025. (IX. 22.) OGY on Electing the Commissioner for Fundamental Rights

⁴⁹⁰ See e.g.: <https://qubit.hu/2025/11/17/egyik-naprol-a-masikra-titokban-eltuntettek-12-ev-leleplezo-erteku-dokumentumait-az-ombudsmani-hivatal-honlapjarol>.

⁴⁹¹ Available at: <https://www.ajbh.hu/-/2670755-298>.

governing the Deputy Commissioner's operations, and for this reason they may not be regarded as official acts of the former Deputy Commissioner, and therefore would not be re-uploaded onto the CFR's new website.⁴⁹²

8.⁴⁹³ Statistics/reports concerning the follow-up to recommendations by NHRIs, ombudsman institutions, equality bodies and supreme audit institutions in the past year

As referred to above, the CFR (the Ombudsperson), as Hungary's NHRI, has also been performing the tasks of an equality body under EU law since 2021.⁴⁹⁴ However, the CFR as equality body is a quasi judicial body, so in this capacity it hands down binding decisions and not recommendations.

As far as the follow-up to the CFR's recommendations issued in its original mandate are concerned, its 2024 annual report includes the following: *"In the reports issued, the Ombudsperson made a total of 98 recommendations, in some cases to more than one addressee. In 102 of these cases, the addressees of the recommendations accepted the initiatives, while in 15 cases they rejected them."*⁴⁹⁵

C. Accessibility and judicial review of administrative decisions

11.⁴⁹⁶ Judicial review of administrative decisions [single market relevance]

Although the general system of judicial review of administrative decisions has not changed in 2025, the legislative trend of broadening the competence of the Kúria as a court of first instance raises concerns.

The judicial review takes place on three different ordinary court levels and on four different instances.

(i) First instance judicial review is carried out by eight designated regional courts.⁴⁹⁷ Exceptionally, in certain cases defined by law, such as electoral, referendum and freedom of assembly cases,⁴⁹⁸ the Kúria acts as first instance court.⁴⁹⁹ In 2025, the first instance competence of the Kúria was broadened by the introduction of the suspension of citizenship

⁴⁹² For more details, see: <https://www.equalitylaw.eu/downloads/6450-hungary-minorities-ombudsman-warns-about-discriminatory-impact-of-law-on-local-identity>.

⁴⁹³ Note that no response was provided to Question IV.9. on "Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities".

⁴⁹⁴ For details, see: *Country report – Non-discrimination – Hungary, 2021*, <https://www.equalitylaw.eu/downloads/5732-hungary-country-report-non-discrimination-2022-1-63-mb>, pp. 100-115.

⁴⁹⁵ *Beszámoló az alapvető jogok biztosának és helyetteseinek tevékenységéről 2024 [Report on the activities of the Commissioner for Fundamental Rights of Hungary and its Deputies in 2024]*, <https://www.parlament.hu/irom42/11125/11125.pdf>, pp. 20–22.

⁴⁹⁶ Note that no response was provided to Question IV.10. on "Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)".

⁴⁹⁷ Act CLXXXIV of 2010 on the Names of the Courts, their Seats and their Territorial Jurisdiction, Annex 4

⁴⁹⁸ Act I of 2017 on Public Administration Procedure, Article 12(3)

⁴⁹⁹ Act I of 2017 on Public Administration Procedure, Article 7(1)(b)

cases.⁵⁰⁰ Should it be adopted, the Bill on the Transparency of Public Life⁵⁰¹ (see Question IV. 16.) would be yet another new example of derogation from the general rule to make the Kúria the court of first and final instance,⁵⁰² which attempt was also criticised by the Hungarian Association of Judges for severely restricting the right to access to a court.⁵⁰³

(ii) Second instance judicial review of administrative decisions is carried out by the Metropolitan Regional Court of Appeal (with respect to decisions delivered by regional courts) and the Kúria (with respect to decisions delivered by the Metropolitan Regional Court of Appeal).⁵⁰⁴

(iii) Extraordinary review of final and binding judgments is exclusively carried out by the Kúria.⁵⁰⁵

(iv) In addition, and constituting a fourth instance of review, the Kúria's uniformity complaint chamber holds powers to review and overrule the final and binding decisions delivered by other chambers of the Kúria, provided that the other chamber of the Kúria diverged from a published decision⁵⁰⁶ of the court on a point of law, or failed to remedy such divergence of a lower court in its decision.⁵⁰⁷ The chamber may also issue uniformity decisions establishing mandatory interpretations of the law for lower tier courts and administrative organs.⁵⁰⁸

The jurisprudence of the uniformity complaint chamber is of key importance for the outcome of individual administrative cases and the jurisprudence of all Hungarian courts in administrative matters. Despite the key importance of its adjudicative activity, the new provisions introduced by the judicial reform in 2023⁵⁰⁹ on the composition of the uniformity complaint chambers do not adequately guarantee the required level of autonomy and professionalism in its decision-making. The Kúria President holds strong formal and informal powers in the uniformity complaint proceeding⁵¹⁰ and the size of the chamber is not defined

⁵⁰⁰ Act LV of 1993 on Hungarian Citizenship, Article 9/C(13)

⁵⁰¹ For details, see: *Operation Starve and Strangle – How the Hungarian Government Decided to Put Companies, Independent Media and Civil Society in a Chokehold*, 20 May 2025, <https://www.amnesty.hu/wp-content/uploads/2025/05/Operation-Starve-and-Strangle-2025-1.pdf>. For an unofficial English translation of the bill, see: https://helsinki.hu/en/wp-content/uploads/sites/2/2025/05/Bill-T11923_Transparency-of-Public-Life.pdf.

⁵⁰² Bill on the Transparency of Public Life, Article 9(4)

⁵⁰³ In the wording of the Hungarian Association of Judges' statement: *"The 'remedy system' that only allows direct recourse to the Kúria, while the Kúria cannot alter the decisions, severely restricts the rights of those concerned. This approach is contrary to the right of access to a court, the principle of the right to an effective remedy, and at an organisational level it also harms the independence of the courts by 'eliminating' the lower-level forums."* See: <https://mabie.hu/hirek/a-t-11923-szamon-benyujtott-a-koezelet-atlathatosagarol-szolo-toervenytjavaslatrol-az-igazsagszolgalatas-szempontjabol>.

⁵⁰⁴ Act I of 2017 on Public Administration Procedure, Article 7(2)

⁵⁰⁵ Act I of 2017 on Public Administration Procedure, Article 7(3)

⁵⁰⁶ Besides uniformity decisions, the Kúria must publish its decisions rendered in uniformity complaint or remedy for the sake of legality proceedings, as well as its annulment decisions and decisions rendered on the merits of the case. See: Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 163(1).

⁵⁰⁷ Act CLXI of 2011 on the Organisation and Administration of the Courts, Article 41/B

⁵⁰⁸ After being published in the Hungarian Gazette, the application of these uniformity decisions is compulsory for all ordinary courts.

⁵⁰⁹ Act X of 2023 on the Amendment of Certain Laws on Justice related to the Hungarian Recovery and Resilience Plan

⁵¹⁰ The Kúria President holds the right to become the presiding judge in a uniformity complaint case, and because this chamber is composed solely of senior court officials (the Kúria Secretary General, chairs and vice-chairs of departments, presiding judges), the Kúria President holds the administrative powers to appoint judges who may become members of the chamber. Through this privileged role, the Kúria President holds a strong

by law with sufficient clarity.⁵¹¹ No adjustment of the chamber's composition depending on the subject matter of the case is legally required, posing a risk that cases will not be adjudicated in a professional manner. In practice, the uniformity complaint chamber may overturn the long-standing administrative jurisprudence of the Kúria with a uniformity decision delivered even if it is not composed in majority of judges assigned to administrative cases.⁵¹²

As a general rule, judicial review does not suspend the execution of administrative decisions.⁵¹³ Even in the drastic case of suspension of citizenship, the law does not give suspensive effect to lodging a claim with the court,⁵¹⁴ which, as the Venice Commission notes, combined with the risk of expulsion, may adversely affect the effective exercise of the right to judicial remedy.⁵¹⁵ However, parties seeking judicial review may request the court for interim measures, including the suspension of execution or pretrial collection of evidence.⁵¹⁶ The Bill on the Transparency of Public Life, however, would explicitly exclude the possibility of requesting interim measures against its sanctions.⁵¹⁷

Since 1 March 2020, appeals against first instance decisions of administrative authorities have to be challenged before the court (and not before a second instance administrative authority). Moreover, from 1 March 2022, the law opened the way to some first instance administrative cases to be decided solely by the Metropolitan Regional Court of Appeal (although so far, only one type of case has been set by the law),⁵¹⁸ further limiting access to court in those cases.

It is unchanged that judges dealing with administrative cases shall explicitly be assigned for this task within the ordinary court system.⁵¹⁹ Our concerns in our 2025 contribution,⁵²⁰ including that neither the criteria nor the terms of an assignment or the termination thereof are set out by law, still remain valid.

formal and informal power in the adjudication of individual cases and in shaping the mandatory interpretation of the law.

⁵¹¹ The provisions leave a wide margin for manoeuvre in practice. As a main rule, it is a 40-judge chamber, but alternatively it can adjudicate in two 20-judge sub-chambers as well. The legislation fully leaves it to the decision of departments of judges (although not quite clear whether their agreement should be unanimous in this matter) to decide on the application of the main rule, or the exception. The rules do not address the situation where the number of these senior officials exceeds 40 or is less than 40. See: Act CLXI of 2011 on the Organisation and Administration of Courts, Article 41/A(1).

⁵¹² Although not from the administrative field, an example of the problem is offered by Uniformity Decision no. 6/2022. JEH, which concerns a civil law issue and was adopted by a uniformity complaint chamber of 50 judges against the joint dissenting opinion of 14 civil law judges outnumbered by the judges from other legal fields. See: Uniformity Decision no. 6/2022. JEH (Jpe.III.60.027/2022/15.), <https://kuria-birosag.hu/hu/joghat/62022-jeh-jpeiii60027202215-szam>.

⁵¹³ Act I of 2017 on Public Administration Procedure, Article 39(6)

⁵¹⁴ Act LV of 1993 on Hungarian Citizenship, Article 9/C

⁵¹⁵ 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, 13 October 2025, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2025\)043-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2025)043-e), para. 68.

⁵¹⁶ Act I of 2017 on Public Administration Procedure, Article 50(2)

⁵¹⁷ Bill on Transparency of Public Life, Article 9(2)

⁵¹⁸ Article 12(2) of Act I of 2017 on Public Administration Procedure only channels to the Metropolitan Regional Court of Appeal matters related to appointing which administrative authority shall process the administrative case. Other cases may be determined by other laws in the future.

⁵¹⁹ Act CLXII of 2011 on the Legal Status and Remuneration of Judges, Article 30

⁵²⁰ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/01/HUN_CS0_contribution_EC_RoL_Report_2025.pdf, p. 83.

12. Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies *[single market relevance]*

As regards the exclusionary “local identity law”⁵²¹ that authorised municipalities to adopt discriminative decrees affecting housing (see Question IV.20.), government offices largely failed to exercise their statutory duties to review the legality of such decrees,⁵²² despite a warning from the Deputy Commissioner for Minorities (see also Question IV.7.) that the law would be used by municipalities to prevent the moving in of Roma persons and other members of marginalised groups. Replying to freedom of information requests,⁵²³ government offices stated that they conducted several inspections and initiated legal oversight proceedings in some places. However, their measures’ effects have been limited, as by 3 December 2025, municipalities passed 180 exclusionary decrees and only in three cases (counties of Baranya, Komárom-Esztergom, and Zala) did municipalities repeal their decree or decided not to enact it.⁵²⁴

13. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Article 267 TFEU) *[single market relevance]*

(1) As also acknowledged by the 2024 Rule of Law Report the compatibility of the Hungarian uniformity complaint system with the EU law raises concerns.⁵²⁵ In 2020, a new uniformity complaint system was introduced and consolidated in subsequent years. Uniformity decisions delivered by the Kúria with a view to safeguarding the uniformity of jurisprudence are quasi laws with judges and courts subordinated to them to the same extent as to legal norms. According to the Kúria, if a new interpretation of EU law by the CJEU conflicts with the interpretation adopted by the Kúria in a uniformity decision, Kúria judges must – instead of putting aside the apex court’s interpretation violating the EU *acquis* – request the Kúria to cancel the binding force of its previous uniformity decision,⁵²⁶ which is a clear breach of the fundamental principles of EU law.

This was confirmed by the Kúria in a February 2025 uniformity decision adopted in a procedure concerning a case regarding the withdrawal of the residence permit of a third-country national who is a family member of EU citizens. The uniformity procedure was initiated by an adjudicating panel of the Kúria due to the incompatibility of previous Kúria

⁵²¹ Act XLVIII of 2025 on the Protection of Local Identity

⁵²² Under Article 132 of Act CLXXXIX of 2011 on Local Governments in Hungary, the government office may call upon any municipality to restore legality, while based on Article 136, a government office may initiate a legal review of municipality decrees by either the Kúria and, via the Government, the Constitutional Court.

⁵²³ Amnesty International Hungary sent their freedom of information requests to the Government Offices of Borsod-Abaúj-Zemplén, Hajdú-Bihar, Heves, Nógrád, Szabolcs-Szatmár-Bereg, and Zala counties on 12 November 2025, and to the other government offices on 26 November 2025.

⁵²⁴ Complaint submitted by Amnesty International Hungary to the European Commission, 22 December 2025, https://www.amnesty.hu/wp-content/uploads/2026/01/251222_Europai-Bizottsag_panasz_kirekesztesi-rendeletek-plusz-linkkel.pdf, p. 5. and its Appendix

⁵²⁵ European Commission, 2024 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bfb-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, p. 7.

⁵²⁶ See the statement at: <https://kuria-birosag.hu/hu/sajto/magyarorszagi-korlatozott-precedens-rendszer-osszhangban-van-az-europai-unio-jogaval>.

jurisprudence with the CJEU's 2024 NW-PQ judgment.⁵²⁷ In its Uniformity Decision no. 3/2025. JEH,⁵²⁸ the Kúria reiterated that in such cases requesting a new decision from the Uniformity Complaint Panel is "unavoidable", since "*adjudicating panels of the Kúria may only deviate from previous interpretations if the Uniformity Complaint Panel's uniformity decision allows this. In this regard, the jurisprudence of the Uniformity Complaint Panel is consistent.*"⁵²⁹ In addition, the Uniformity Decision declared that "*it cannot even be raised*" as an arguable claim that Hungarian judges may put aside domestic laws on the sole basis of a CJEU judgment and base their decision "*directly and exclusively*" on a CJEU judgment even if the CJEU is authorised to provide mandatory interpretations of the EU acquis.⁵³⁰

There are at least two preliminary references from Hungarian judges before the CJEU regarding the Hungarian law and practice's compatibility with the acquis,⁵³¹ with one of those having a direct relevance to the single market, as it concerns Directive 2014/104/EU.⁵³² However, even before the CJEU's response, it can be concluded that the Kúria applies the uniformity complaint system to block the direct effect of EU law.

The problem is exacerbated by the fact that in the uniformity complaint proceeding strong formal and informal powers are held by the Kúria President (see Question IV.11.) who has repeatedly expressed his view that the emergence of a conflict between Hungarian constitutional identity and the supremacy of EU law is inevitable⁵³³ and that in this conflict the apex court's task is to protect the constitutional identity and the country's Christian culture. For instance, the Kúria's Organisational and Operational Rules was amended in January 2025 to prescribe that when fulfilling their role of advising judges in relation to the application of EU law, the members of the network of EU advisors shall do so "*with a view to the courts' task to protect Hungary's constitutional identity and Christian culture, as stemming from the Fundamental Law*".⁵³⁴

(2) Despite holding the power to review final and binding judgments of ordinary courts, the Constitutional Court has never turned to the CJEU with a preliminary reference. Even in cases

⁵²⁷ Judgment of the Court (First Chamber) in Joined Cases C-420/22 and C-528/22, 25 April 2024, ECLI:EU:C:2024:344

⁵²⁸ Uniformity Decision no. 3/2025. JEH (Jpe.III.60.053/2024/12.), <https://kuria-birosag.hu/hu/joghat/32025-jeh-jpeiii60053202412-szam>

⁵²⁹ Uniformity Decision no. 3/2025. JEH, § 25.

⁵³⁰ Uniformity Decision no. 3/2025. JEH, § 51.

⁵³¹ In Case C-26/25 (see:

<https://curia.europa.eu/juris/showPdf.jsf?text=&docid=302552&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=1259609>) and Case C-285/25 (see: <https://curia.europa.eu/juris/showPdf.jsf?text=&docid=303234&pageIndex=0&doclang=hu&mode=lst&dir=&occ=first&part=1&cid=15541950>).

⁵³² Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union

⁵³³ See: András Zs. Varga, *Constitutional Identity as Interpreted by the Council of Europe and the European Union. Conflict of Laws – Conflict of Courts?* Hungarian Yearbook of International Law and European Law, 2016/4 (1), pp. 385–405, https://publikacio.ppke.hu/id/eprint/2099/1/Varga_Constitutional_Identity_as_Interpreted.pdf, p. 402.; and <https://helsinkifigyelo.444.hu/2021/01/14/varga-zs-andras-a-biroi-hatalom-korlatozasanak-programjaval-a-kuria-elere>.

⁵³⁴ See: <https://www.szabadeuropa.hu/a/varga-zs-andras-a-kuriat-is-bevetne-a-kormany-oldalan-annak-unios-pereiben/33301647.html> and Section III.2.2.4.1. of the Kúria's Organisational and Operational Rules, available at: https://kuria-birosag.hu/sites/default/files/szabalyzatok/a_kuria_szervezeti_es_mukodesi_szabalyzata_modositasokkal_egyes_szerkezetben_2025_01_14.pdf.

where the compatibility of the Hungarian legislation with the *acquis* was questioned by the European Commission, the Constitutional Court avoided initiating a dialogue under Article 267 TFEU with the CJEU by suspending the proceedings.⁵³⁵

(3) Despite legislative modifications of Act XC of 2017 on the Code of Criminal Procedure⁵³⁶ required under the Common Provisions Regulation horizontal enabling conditions, Judgment C-564/19⁵³⁷ of the CJEU remains partially unimplemented and may prompt Hungarian judges to refrain from referring questions for a preliminary ruling to the CJEU. While procedural obstacles to making a preliminary reference were abolished, the modifications adopted failed to address the effects of the binding precedential decision by the Kúria,⁵³⁸ according to which referring a question to the CJEU is unlawful under Hungarian law if the question referred is not relevant to and necessary for the resolution of the dispute concerned. In order to exclude the direct effect of the precedential decision of the Kúria, all relevant procedural codes⁵³⁹ should be modified expressly declaring that requesting a preliminary ruling from the CJEU is a right of Hungarian judges, the exercise of which falls within their judicial discretion and cannot constitute a breach of the law.⁵⁴⁰

14. Implementation of final judgments by the public administration and state institutions and follow-up given to supranational judgments, including decisions from the ECtHR, as well as available remedies in case of non-implementation [single market relevance]

(1) Non-execution of domestic court decisions

It continues to be an issue that domestic court judgments obliging state bodies to disclose public data are often not complied with, and court decisions issued e.g. in press rectification and personality rights lawsuits launched against government-affiliated media are often not executed either (or only after repeated sanctions imposed on the media outlets by the courts overseeing the execution of the judgments). As detailed in our previous contributions,⁵⁴¹ one of the systemic problems contributing to this is the lack of effective and genuinely coercive enforcement tools: the sanction regime for non-execution has no deterrent/dissuasive effect, and the enforcement proceedings are excessively long.

⁵³⁵ See Decisions 22/2016. (XII. 15.) AB, 2/2019. (III. 5.) AB and 32/2021. (XII. 20.) AB of the Constitutional Court. The respective orders on suspension have been deleted from the website of the Constitutional Court; see the relevant press release here: <https://alkotmanybirosag.hu/kozlemeny/az-alkotmanybirosag-az-europai-alkotmanyos-parbeszed-jegyeben-felfuggesztette-eljarasat-a-nemzeti-felsooktatasi-torvenyt-es-a-civil-torvenyt-erinto-ugyekben/>.

⁵³⁶ With effect of 13 February 2024, Article 490 of Act XC of 2017 on the Code of Criminal Procedure has been modified to eliminate the wording that expressly confirmed the Kúria precedent, nevertheless it does not exclude the applicability of the Kúria precedent.

⁵³⁷ Judgment of the Court (Grand Chamber) in Case C-564/19, 23 November 2021, ECLI:EU:C:2021:949.

⁵³⁸ Decision Bt.III.838/2019/11. of the Kúria (10 September 2019), https://helsinki.hu/wp-content/uploads/2022/11/Bt.838_2019_11.pdf

⁵³⁹ Besides Act XC of 2017 on the Code of Criminal Procedure, all other procedural laws, including civil and administrative, should be amended, as the current precedent also applies beyond the Code of Criminal Procedure, to all branches of adjudication.

⁵⁴⁰ See the argumentation of the Kúria President put forward at the 5–6 December 2023 meeting of the NJC here: <https://obt2018.hu/download/az-obt-2023-december-5-es-6-napjan-megtartott-ulesenek-jegyzokonyve/>, p. 20.

⁵⁴¹ *Contributions of Hungarian CSOs to the European Commission's Rule of Law Report*, January 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/01/HUN_CS0_contribution_EC_RoL_Report_2023.pdf, pp. 64–65.

This amounts to the non-implementation of the judgment of the ECtHR in the *Kenedi v. Hungary* case as well.⁵⁴² In a decision issued in December 2024 in relation to this case, the Committee of Ministers of the Council of Europe “called on the [Hungarian] authorities to adopt additional targeted general measures (i) to address the reoccurring reluctance of state authorities to comply with the domestic courts’ orders granting access to documents, and (ii) to ensure that effective and genuinely coercive enforcement tools are available for the implementation of such orders”, and “decided to transfer this case to the enhanced supervision procedure to avoid any further delay”.⁵⁴³ However, to date, the authorities have not taken any legislative or regulatory steps to address the issues, and in practice, the deficiencies continue to prevail.

Decisions of the Constitutional Court are not always implemented either. As of 12 January 2026, there were 11 decisions in which the Constitutional Court declared that a legislative omission resulted in the violation of the Fundamental Law, but the Parliament had failed to remedy the situation. The deadline set by the Constitutional Court expired in 10 of these cases, the oldest one in 2013.⁵⁴⁴

(2) Non-execution of European court judgments

Hungary’s record of implementing ECtHR judgments remains poor. As of 1 January 2025, Hungary had 47 leading ECtHR judgments pending implementation, and the rate of leading judgments from the past 10 years that remain pending was at 74% (compared to 76% on 1 January 2024). This is the highest within the EU and among the three highest among current Council of Europe countries.⁵⁴⁵ On 12 January 2026, the number of pending leading judgments was 48.⁵⁴⁶ Pending leading cases concern crucial human rights issues, including unchecked secret surveillance,⁵⁴⁷ freedom of expression of judges,⁵⁴⁸ excessive length of judicial proceedings,⁵⁴⁹ life imprisonment,⁵⁵⁰ police ill-treatment,⁵⁵¹ discrimination of Roma children in education,⁵⁵² and the rights of refugees and asylum-seekers, among others. There is still no separate national structure to bring together various actors to coordinate the implementation of ECtHR judgments; meaningful parliamentary oversight is still lacking.⁵⁵³

In 2025, 13 Hungarian cases or groups of cases under an enhanced supervision procedure by the Committee of Ministers were on the agenda of CM-DH meetings.⁵⁵⁴ The Committee of

⁵⁴² For details, see the communication submitted by the Hungarian Civil Liberties Union, the Hungarian Helsinki Committee, K-Monitor and Transparency International Hungary to the Committee of Ministers of the Council of Europe in May 2024: https://helsinki.hu/en/wp-content/uploads/sites/2/2024/05/Kenedi_v_Hungary_Rule_9_23052024.pdf.

⁵⁴³ CM/Del/Dec(2024)1514/H46-41, <https://search.coe.int/cm/eng?i=0900001680b296a8>

⁵⁴⁴ The list of the respective Constitutional Court decisions is available here: <https://www.parlament.hu/az-orszaggyules-donteseire-vonatkozó-alkotmánybíró-sági-határozatok>.

⁵⁴⁵ See: <https://www.einnetwork.org/countries-overview>.

⁵⁴⁶ See: [HUDOC EXEC](https://hudoc.exec.coe.int/eng?i=004-10745).

⁵⁴⁷ *Szabó and Vissy v. Hungary* group, <http://hudoc.exec.coe.int/eng?i=004-10745>

⁵⁴⁸ *Baka v. Hungary*, <http://hudoc.exec.coe.int/eng?i=004-10859>

⁵⁴⁹ *Gazsó v. Hungary* group, <http://hudoc.exec.coe.int/eng?i=004-10875>

⁵⁵⁰ *László Magyar v. Hungary* group, <https://hudoc.exec.coe.int/eng?i=004-10897>

⁵⁵¹ *Gubacsi v. Hungary* group, <https://hudoc.exec.coe.int/eng?i=004-10515>

⁵⁵² *Horváth and Kiss v. Hungary* and *Szolcsán v. Hungary*, <http://hudoc.exec.coe.int/eng?i=004-10905>

⁵⁵³ For a more detailed description of the issue, see: Hungarian Helsinki Committee, *Non-Execution of Domestic and International Court Judgments in Hungary*, December 2021, https://helsinki.hu/en/wp-content/uploads/sites/2/2021/12/HHC_Non-Execution_of_Court_Judgments_2021.pdf, pp. 50–54.

⁵⁵⁴ The cases that were on agenda and the decisions and (interim) resolutions delivered regarding them:

Ministers found implementation insufficient in all but one of these cases – the only Hungarian case under enhanced procedure closed in 2025 was the *C.A. Zrt. and T.R. v. Hungary* group of cases, which concerned the violation of the applicants' property rights due to the enactment of a law which terminated ex lege their usufruct rights over agricultural lands.⁵⁵⁵ In March 2025, the Committee of Ministers issued an interim resolution in the *Varga and Others and István Gábor Kovács v. Hungary* group of cases⁵⁵⁶ that concerns inadequate detention conditions, recalling among others that the issue has been pending for more than 13 years.

In the past years, severe problems have emerged with regard to the execution of the judgments of the CJEU as well, amounting to non-compliance. According to a recent study, out of the 20 rule-of-law related rulings issued between 1 January 2019 and 1 January 2025 examined by researchers, Hungary has not complied with 3 rulings and has complied with 10 rulings only partly as of 1 May 2025. 11 of the not-yet-complied-with rulings have been pending for over two years.⁵⁵⁷

The failure to execute the CJEU's judgment delivered in Case C-808/18 in 2020,⁵⁵⁸ which in practice means that push-backs of third-country nationals to Serbia continue to this day, prompted the CJEU to impose a substantial fine on Hungary in June 2024, pointing out that the failure to comply with the judgment constituted an unprecedented and extremely serious infringement of EU law.⁵⁵⁹ However, the Hungarian government has not taken any steps to date to rectify the problem – to the contrary, on 15 December 2025, it filed a lawsuit for damages against the CJEU over the decision.⁵⁶⁰

Baka v. Hungary (CM/Del/Dec(2025)1521/H46-15, 6 March 2025, <https://search.coe.int/cm?i=09125948802643a4>); *Bakirdzi and E.C. v. Hungary* (CM/Del/Dec(2025)1521/H46-16, 6 March 2025, <https://search.coe.int/cm?i=09125948802643a6>); *Gazsó v. Hungary* group (CM/Del/Dec(2025)1521/H46-17, 6 March 2025, <https://search.coe.int/cm?i=09125948802643b2>) – see Question I.18. for more detail; *Varga and Others and István Gábor Kovács v. Hungary* group (CM/ResDH(2025)32, 6 March 2025, <https://search.coe.int/cm/eng?i=09125948802645c8>); *László Magyar v. Hungary* group (CM/Del/Dec(2025)1531/H46-21, 12 June 2025, <https://search.coe.int/cm?i=0912594880265ff6>); *Szabó and Vissy v. Hungary* group (CM/Del/Dec(2025)1531/H46-22, 12 June 2025, <https://search.coe.int/cm?i=0912594880265ff8>); *C.A. Zrt. and T.R. v. Hungary* group (CM/ResDH(2025)255, 17 September 2025, <https://search.coe.int/cm/eng?i=0912594880286d0e>); *Ilias and Ahmed v. Hungary and Shahzad v. Hungary* groups and *M.D. and Others v. Hungary* (CM/Del/Dec(2025)1537/H46-16, 17 September 2025, <https://search.coe.int/cm?i=0912594880282f0d>); *Rana v. Hungary* group (CM/Del/Dec(2025)1537/H46-17, 17 September 2025, <https://search.coe.int/cm?i=0912594880282f0f>); *Validity Foundation on behalf of T.J. v. Hungary* (CM/Del/Dec(2025)1537/H46-45, 17 September 2025, <https://search.coe.int/cm?i=0912594880282f4c>); *Alhowais v. Hungary and Shahzad (No. 2) v. Hungary* (CM/Del/Dec(2025)1545/H46-19, 4 December 2025, <https://search.coe.int/cm?i=09125948802992b1>); *Horváth and Kiss v. Hungary and Szolcsán v. Hungary* (CM/Del/Dec(2025)1545/H46-20, 4 December 2025, <https://search.coe.int/cm?i=09125948802992b4>); *M.H. and S.B. v. Hungary* (CM/Del/Dec(2025)1545/H46-21, 4 December 2025, <https://search.coe.int/cm?i=09125948802992b6>).

⁵⁵⁵ <https://hudoc.exec.coe.int/?i=004-55847>

⁵⁵⁶ <https://hudoc.exec.coe.int/eng?i=004-10809>

⁵⁵⁷ Democracy Reporting International – European Implementation Network, *Justice Delayed and Justice Denied. Non-Implementation of European Courts Judgments and the Rule of Law*, 2025, <https://www.einnetwork.org/justice-delayed-justice-denied>

⁵⁵⁸ Judgment of the Court (Grand Chamber) in Case C-808/18, 17 December 2020, ECLI:EU:C:2020:1029

⁵⁵⁹ See: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-06/cp240099en.pdf>.

⁵⁶⁰ See e.g.: <https://telex.hu/belfold/2025/12/15/tuzson-bence-magyarorszag-bepereli-az-europai-birosagot>.

15.⁵⁶¹ Oversight, including by courts, of the use of intrusive surveillance software by national authorities

Intrusive surveillance software may be deployed either in criminal proceedings through the use of so-called “covert means” or as part of “secret information gathering”, the statutory term for secret surveillance. Such measures may be carried out by a wide range of authorities – nine in total – including the police, the prosecution service, the tax authority, and the national security agencies.⁵⁶² Depending on their level of intrusiveness, secret surveillance measures may require external authorisation or none at all. Where authorisation is required, its nature varies: surveillance conducted in criminal proceedings is subject to judicial approval, whereas national security surveillance is, in most cases, authorised by the Minister of Justice. The applicable surveillance methods are regulated across several sector-specific statutes governing the respective authorities.

Information obtained in criminal proceedings is ultimately subject to judicial scrutiny. In turn, effective oversight mechanisms are largely absent regarding secret surveillance conducted on national security grounds. Secret information gathering is initiated by a request from the head of the competent security agency to the authorising authority – the Minister of Justice or, in limited cases, the Metropolitan Regional Court – specifying the place of surveillance, the target or category of targets, the legal basis, duration, and method. The authorising authority then decides whether the measure may be applied.

This authorisation framework is fundamentally deficient. The relevant laws do not explicitly regulate spyware or similarly intrusive technologies, instead relying on broad, technology-neutral terms such as the “covert surveillance of information stored in an information system”. As a result, the authorising authority is not informed of the specific tools to be used and cannot meaningfully assess the intrusiveness of the surveillance. The legislation further fails to account for the heightened risks posed to privileged communications, as it does not require specific balancing in cases involving journalists or lawyers.

These shortcomings are particularly concerning given that spyware abuse is most likely to occur in the context of national security surveillance. In the *Szabó and Vissy v. Hungary* case,⁵⁶³ the ECtHR identified fundamental flaws in Hungary’s national security surveillance regime, including the lack of independent oversight when authorisation is granted by the Minister of Justice, the ineffectiveness of parliamentary and ombudsperson oversight, and the absence of effective remedies for individuals alleging unlawful surveillance. Although no official statistics are available, it is assumed that nearly all surveillance requests are authorised.⁵⁶⁴ Even though the judgment was delivered in 2016, it remains unexecuted.⁵⁶⁵ While the

⁵⁶¹ The response to this question was provided by the Hungarian Civil Liberties Union.

⁵⁶² Act CXXV of 1995 on the National Security Agencies; Act XXXIV of 1994 on the Police; Act XC of 2017 on Criminal Procedure; Act CLXIII on the Prosecution; Act CXXII of 2010 on the National Tax and Customs Administration

⁵⁶³ *Szabó and Vissy v. Hungary* (Application no. 37138/14, Judgment of 12 January 2016)

⁵⁶⁴ See e.g. this news piece on the former president of the Metropolitan Regional Court stating that judges approve wiretapping motions in 10 out of 10 cases:

<https://www.atv.hu/belfold/20210721/fovarosi-birosag-volt-elnoke-tizbol-tiz-esetben-engedelyezik-a-birak-a-lehallgatasi-inditvanyokat/>.

⁵⁶⁵ See the latest decision of the Committee of Ministers of the Council of Europe of 12 June 2025 regarding the execution of the judgment: CM/Del/Dec(2025)1531/H46-22, <https://search.coe.int/cm/?i=0912594880265ff8>.

Government has repeatedly referred to ongoing preparatory work,⁵⁶⁶ it has meanwhile amended Act CXXV of 1995 on National Security Services more than thirty times, indicating a persistent failure to bring the framework into compliance with the ECtHR's ruling.

The NAIH investigated the use of the Pegasus spyware and found no rights violations.⁵⁶⁷ However, litigation initiated by the Hungarian Civil Liberties Union exposed serious limitations in the NAIH's approach. The NAIH does not consider itself competent to assess the substance of national security justifications, instead automatically accepting classifications invoked by the security services.⁵⁶⁸ Its oversight therefore remains purely formal. Even where a violation might be identified, the NAIH considers that declassification may be initiated only on grounds of "public interest", excluding any balancing of the data subject's fundamental rights against national security interests.⁵⁶⁹ Consequently, the NAIH is structurally incapable of providing an effective remedy.

Finally, as secret surveillance may be authorised by the Minister of Justice and ex post judicial review is available only if the person concerned can prove that they were subjected to surveillance – an almost insurmountable burden, given that individuals are neither notified of such measures nor have access to a judicial forum competent to examine alleged surveillance in the absence of proof of data processing – courts are likewise unable to exercise effective control over secret surveillance measures.

D. The enabling framework for civil society

16. Measures regarding the framework for civil society organisations and human rights defenders

Freedom of association is guaranteed by the Fundamental Law, with the statutory framework providing for a variety of forms of associations. In addition to registered forms, such as associations and foundations, the law also acknowledges a simple, non-registered form, the "civil group". The registry of CSOs is publicly available on the courts' website.⁵⁷⁰

In theory, the registration of CSOs is fairly straightforward, free of charge and can be done fully online using templates provided on the court's website.⁵⁷¹ In 2025 there were no reports of denied registrations or forced dissolutions, and the number of registered CSOs remained stable.⁵⁷² However, in practice, laymen can easily make formal errors in the forms, which leads to a lengthy correction process. By law, the court has 30 days to register CSOs, but in practice the process may take several months, and the same applies to making any changes. There is hardly any official support or guidance available, only civil society resource centres, such as

⁵⁶⁶ See e.g. the information note submitted by the Government to the Committee of Ministers of the Council of Europe on 19 March 2025: DH-DD(2025)340, [https://hudoc.exec.coe.int/?i=DH-DD\(2025\)340E](https://hudoc.exec.coe.int/?i=DH-DD(2025)340E).

⁵⁶⁷ NAIH-423-2-2022

⁵⁶⁸ Decision Kfv.III.37.188/2024/13. of the Kúria, paragraph [32]

⁵⁶⁹ *Annual report of the Hungarian National Authority for Data Protection and Freedom of Information 2023*, https://www.naih.hu/files/NAIH_annual_report_2023.pdf, p. 95.

⁵⁷⁰ Available at: <https://birosag.hu/ugyfeleknek/civil-szervezetek/civil-szervezetek-nevjegyzeke>.

⁵⁷¹ Available at: <https://birosag.hu/ugyfeleknek/urlapok-nyomtatvanyok/eljarasok-nyomtatvanyai/civil-eljarasok-urlapjai>.

⁵⁷² See: https://www.ksh.hu/stadat_files/gsz/hu/gsz0013.html.

NIOK Foundation⁵⁷³ or PILnet⁵⁷⁴ offer such help. Under these circumstances, many groups decide to remain informal in order to avoid the administrative burdens of registering.

In June, the Parliament adopted Act LIX of 2025, transferring the process and the registry of CSOs from the courts to a yet undetermined authority, supposedly with the objective of decreasing the courts' burden, giving rise to fears of political interventions. The law will enter into force on 1 January 2027, thus, its impact remains to be seen.

CSOs, especially those with public benefit status (≈20% of all CSOs) have to meet extensive documentation and reporting obligations, and they may be subject to controls by various governmental agencies. CSOs must submit their annual financial reports, using a form provided by the courts, for publication in the registry and must publish them on their own websites, guaranteeing their transparency.

The everyday operation of CSOs is largely undeterred: they can elect their statutory bodies, etc. freely. In 2025 there were no reports of excessive inspections by authorities, with one exception. The government has for years targeted the Oltalom Charitable Association, and in 2024, a government office closed down its schools teaching homeless and disadvantaged children in a decision which was revoked by the court in March 2025.⁵⁷⁵ In September 2025 the same office initiated a procedure to withdraw the licence of homeless shelters managed by Oltalom, claiming inadequate conditions despite many earlier inspections.⁵⁷⁶

Restrictive laws remain in force, such as

- Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life, subjecting certain CSOs to audits by the State Audit Office without adequate justification or safeguards;⁵⁷⁷
- Act LXXXVIII of 2023 on the Protection of National Sovereignty, currently before the CJEU,⁵⁷⁸ which established the SPO, vested with excessive investigative powers over individuals and legal entities on vaguely defined grounds;⁵⁷⁹
- a Criminal Code provision that deters the provision of legal assistance to asylum-seekers;⁵⁸⁰ and
- the 25% immigration tax on donors if they provide funds for activities "facilitating" immigration or on grantees performing such activities in case the donor organisation fails to pay the tax.⁵⁸¹

⁵⁷³ <https://www.nonprofit.hu/tudastar>

⁵⁷⁴ <https://www.pilnet.org/our-work/europe-eurasia/hungarian/>

⁵⁷⁵ See: <https://oltalom.hu/2025/03/13/itelet-szuletett-jogszerutlen-volt-met-budapesti-iskolainak-bezarasa/>.

⁵⁷⁶ See: <https://oltalom.hu/2025/09/23/a-kormanyhivatal-eljarast-inditott-a-danko-utcai-hajlektalanellato-intezmenyek-mukodesi-engedelyenek-visszavonasa/>.

⁵⁷⁷ For details, see: Hungarian Helsinki Committee, *LexNGO 2021 – a look into Hungary's second anti-NGO law on its first anniversary*, 12 May 2022, https://helsinki.hu/en/wp-content/uploads/sites/2/2022/05/HHC_LexNGO2021_info_note.pdf.

⁵⁷⁸ INFR(2024)2001, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4865

⁵⁷⁹ For details, see: <https://helsinki.hu/en/sovereignty-protection-act-in-breach-of-eu-law/>.

⁵⁸⁰ See the unofficial translation by the Hungarian Helsinki Committee of Article 353/A of Act C of 2012 on the Criminal Code here: https://helsinki.hu/en/wp-content/uploads/sites/2/2022/12/criminalisation_2022.pdf.

⁵⁸¹ Cf. European Commission for Democracy Through Law (Venice Commission) – OSCE/ODIHR, *Hungary – Joint Opinion on Section 253 on the special immigration tax of Act XLI of 20 July 2018 amending certain tax laws and*

In 2025, restrictive legislative steps escalated further: in May, a governing majority MP submitted to the Parliament the Bill on the Transparency of Public Life, which 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 as well; monitor bank accounts, impose fines; and suspend or dissolve targeted entities. The SPO would be tasked to propose which entities would be blacklisted, without appropriate legal remedies.⁵⁸² The bill, which violates international standards and EU law, generated protest both in Hungary⁵⁸³ and abroad, e.g. by Council of Europe⁵⁸⁴ and OSCE⁵⁸⁵ stakeholders. The bill’s adoption was postponed in June 2025, but it remains pending.⁵⁸⁶

In September 2025, an emergency government decree⁵⁸⁷ established a “national anti-terrorism list”, foreseeing financial sanctions for those on it. Act CXXV of 2025 elevated the concept to a statutory level as of 2026. The Government put “Antifa” (*sic*) and Hammerbande/Antifa Ost on the list.⁵⁸⁸

As of 2024, the union check-off system for public administration workers was abolished, ending the requirement for employers to deduct membership fees from salaries free of charge. This weakens unions by increasing administrative costs and causing a loss of both fees and members. In June 2025, the ILO noted these restrictions in law and practice with concern.⁵⁸⁹

On legal changes limiting freedom of assembly, see Question IV.20.

other related laws and on the immigration tax, 18 December 2018, CDL-AD(2018)035, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2018\)035-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2018)035-e).

⁵⁸² For details, see: <https://helsinki.hu/en/operation-starve-and-strangle-20250522/>.

⁵⁸³ See e.g. the following statement, signed by over 260 CSOs and trade unions and over 50 media outlets: <https://civilizacio.net/en/news-blog/no-country-was-built-on-blacklists>.

⁵⁸⁴ The respective letter of the Commissioner for Human Rights of the Council of Europe of 27 May 2025 to the Speaker of the Parliament is available here: <https://www.coe.int/hu/web/commissioner/-/commissioner-asks-hungary-s-parliament-not-to-adopt-law-that-stifles-civil-society>; the statement of the co-rapporteurs of the Parliamentary Assembly of the Council of Europe of 19 May 2025 is available here:

<https://pace.coe.int/en/news/9893/the-hungarian-draft-law-on-transparency-in-public-life-must-not-be-adopted-say-pace-monitors>; the opinion of the Expert Council on NGO Law, a body of the Conference of International non-Governmental Organisations (CINGO) of 5 June 2025, CONF/EXP(2025)4, is available here: <https://www.coe.int/en/web/ingo/-/hungary-s-bill-on-the-transparency-of-public-life-a-significant-threat-for-the-legitimate-functioning-of-civil-society-organisations-says-cingo-s-expert-council-on-ngo-law>.

⁵⁸⁵ The respective statement of the OSCE Representative on Freedom of the Media of 4 June 2025 is available here: <https://rfom.osce.org/representative-on-freedom-of-media/592265>.

⁵⁸⁶ See the bill listed as pending on the Parliament’s website here: [T/11923](https://www.parliament.hu/en/legislation/11923).

⁵⁸⁷ Government Decree 297/2025. (IX. 26.) on the Emergency Rules for Action Against Certain Persons and Organisations in the Fight Against Terrorism

⁵⁸⁸ Government Decree 456/2025. (XII. 29.) on the National Anti-Terrorism List and on the Restrictive Measures and Their Scope Applicable to Those on the List

⁵⁸⁹ ILC.113/CAN/PV.14/Hungary-C.87, <https://www.ilo.org/sites/default/files/2025-06/ILC113-CAN-PV14-Hungary-Patchwork-%5BNORMES-250527-026%5D-EFS.pdf>

17. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders

CSOs that criticise government policies and/or represent vulnerable groups have not enjoyed a safe space for more than a decade. They are the targets of smear campaigns and vilification, orchestrated by governmental figures and the pro-government propaganda machinery.

The first months of 2025 were characterised by increasingly inflammatory rhetoric by the Prime Minister. In an interview in January, he stated that *“the most important foreign policy goal for 2025 is to push the Soros Empire out of Europe”,* and that *“[t]he time has come to [...] dismantle the foreign networks that threaten Hungarian sovereignty, and to send them home”*.⁵⁹⁰ In his State of the Nation address, delivered in February, he “advised” Pride organizers that *“they should not bother preparing for this year’s parade”*.⁵⁹¹ In his speech on 15 March, on the anniversary of the revolution in 1848, he likened various independent actors to stinkbugs: *“After today’s festive gathering will come house cleaning for Easter. The bugs have survived winter. We are dismantling the financial machine that has used corrupt dollars to buy politicians, judges, journalists, bogus civil society organisations and political activists. We will disperse the entire shadow army. They are [...] the minions of Brussels, paid to do the empire’s bidding against their own country. [...] If there is justice, [...] there is a special place in Hell for them.”*⁵⁹² These statements foreshadowed restrictive legislative steps (see Questions IV.16. and IV.20.).

Misleading or false claims by governmental figures are repeated and magnified in the pro-government media, and the stigmatisation continues to be exacerbated by the SPO’s reports, marking CSOs and persons as “threats to national sovereignty”. This is not limited to the most vocal CSOs: e.g., the SPO’s report on the Citizens, Equality, Rights and Values (CERV) programme⁵⁹³ listed 33 CSOs, selected in a haphazard manner, including some working on child protection or in social care. The investigative portal Átlátszó, the subject of one of the first SPO reports, sued the SPO for its statements and won the case in the first instance in 2025.⁵⁹⁴

Critical CSOs, especially in the countryside, can hardly access community spaces.

SLAPP cases occur rarely. An example from 2025 concerned the Hungarian Civil Liberties Union, which represented Forbes magazine in a case brought by the owners of a company because of their inclusion in Forbes’ “richest 50” list. The owners sued the Hungarian Civil Liberties Union for reporting on the legal procedures the owners initiated against Forbes.⁵⁹⁵

⁵⁹⁰ See the official English transcript of the radio interview here: <https://miniszterelnok.hu/en/prime-minister-viktor-orban-on-the-kossuth-radio-programme-good-morning-hungary-2025-01-17/>.

⁵⁹¹ See the official English version of the speech here: <https://miniszterelnok.hu/en/prime-minister-viktor-orban-state-of-the-nation-address-2025-02-22/>.

⁵⁹² See the official English version of the speech here: <https://miniszterelnok.hu/en/speech-by-prime-minister-viktor-orban-on-the-177th-anniversary-of-the-hungarian-revolution-and-war-of-independence-of-1848-49/>.

⁵⁹³ Sovereignty Protection Office, *Az Európai Bizottság CERV programja a Soros-szervezetek brüsszeli lába* [The European Commission’s CERV program is the Brussels leg of the Soros organisations], 19 January 2025, <https://szuverenitasvedelmi hivatal.hu/hirek/az-europai-bizottsag-cerv-programja-a-soros-szervezetek-brusszeli-laba>

⁵⁹⁴ See a related news piece of 4 December 2025 by Átlátszó here: <https://atlatszo.hu/kozugy/2025/12/04/pert-nyertunk-a-szuverenitasvedelmi-hivatal-ellen-az-also-foku-itelet-szerint-valotlansagokat-terjesztettek-rolunk/>.

⁵⁹⁵ See the Hungarian Civil Liberties Union’s related statement of 3 September 2025 here: <https://tasz.hu/cikkek/hell-vs-tasz-per/>.

Unlike in previous years, in 2025 there were no reported cases of surveillance, nor that of applying anti-terrorist or money-laundering rules against CSOs. However, criminal law has been used to threaten activists or persons speaking out. For example, a criminal procedure for slander was launched against a former leader of a child protection institution who publicly spoke about the childcare system's state in relation to allegations of abuse, and the police searched the house and confiscated electronics of an activist who revealed similar suspected abuses in another children's home.⁵⁹⁶ An activist in Pécs was cautioned by the court for damage to property for overwriting billboards carrying the Government's propaganda messages,⁵⁹⁷ and members of The City is for All group were condemned in the second instance for damage to property for painting slogans on sidewalks.⁵⁹⁸ The main organiser of the Pécs Pride is facing criminal charges for organising the assembly⁵⁹⁹ (see Question IV.20.).

State and municipal employees are recurrently threatened or suffer workplace sanctions for speaking out. In 2024–2025, three ministry staff members were dismissed or demoted for supporting a fourth colleague who was dismissed for speaking out publicly against power abuse in heritage protection.⁶⁰⁰ The Péter Pázmány Catholic University launched disciplinary procedures against three researchers⁶⁰¹ and dismissed a fourth⁶⁰² in 2025 for writing supportively of LGBTQI+ persons.

Under these circumstances self-censorship is widespread, especially in the countryside where the loss of public sector employment comprises an existential threat. Restrictive laws, ill-founded measures and stigmatisation result in a chilling effect, undermine CSOs' effectiveness, and have a detrimental psychological impact on staff. Research published in 2025 showed that some CSOs have given up on applying for certain foreign funds to avoid potential attacks, and some even renounced previously awarded foreign funding; partnership building became more challenging; and some had given up on certain activities and limited their communication critical of the Government.⁶⁰³

Physical attacks are rare. In 2025 one such case was reported from Debrecen: two men verbally insulted staff and guests of the community café operated by a CSO, which led to a

⁵⁹⁶ See the related statement of the prosecution service of 2 October 2025 here:

<https://ugyesszeg.hu/ugyesszegi-nyomozati-cselekmények-a-szolo-utcai-javitointezet-ugyeben-a-kozponti-nyomozo-fougyeszeg-sajtokozlemenye/>.

⁵⁹⁷ See the Hungarian Helsinki Committee's statement, who represent the activist, about the second instance decision of 10 April 2025 here: <https://helsinki.hu/eliteltak-a-mar-hulladek-gyuloletplakatot-kijavito-pecsi-aktivistat/>.

⁵⁹⁸ See e.g.: <https://kreativ.hu/cikk/a-kozvecekert-kampanyoltak-most-elitelik-oket>.

⁵⁹⁹ For details, see: Amnesty International Hungary – Háttér Society – Hungarian Civil Liberties Union – Hungarian Helsinki Committee, *It Couldn't Happen in the EU, Until it Did: Pride Organiser Under Criminal Investigation, Facing One Year in Prison*, 28 October 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/10/CriminalisingPecsPride_AIHU_HATTER_HCLU_HHC_28102025.pdf.

⁶⁰⁰ See e.g. the statement of 16 May 2025 of the Hungarian Helsinki Committee, providing representation to the former ministry staff members in the procedures challenging their dismissal/demotion here: <https://helsinki.hu/kerdezni-mereszelt-elbocsatottak-a-miniszteriumbol/>.

⁶⁰¹ See e.g.: https://nepszava.hu/3293706_pazmany-peter-katolikus-egyetem-pszichologus-feolomondas.

⁶⁰² See e.g.: <https://444.hu/2025/08/27/beperli-a-pazmany-a-volt-docens-akit-egy-lmbtg-temaju-tanulmany-utan-rugtak-ki>, and statement of 27 August 2025 of the Hungarian Civil Liberties Union, representing the dismissed sociologist, here: <https://tasz.hu/cikkek/ppke-bognar-bulcsu-elbocsatas-lmbtg-tanulmany-per/>.

⁶⁰³ A summary of the results is available here: https://helsinki.hu/wp-content/uploads/2025/04/Kutatas_a_szuverenitasvedelmi_torveny_hatasairol.pdf.

physical altercation. The police apprehended the perpetrators and launched a criminal procedure against them.⁶⁰⁴

18. Organisation of financial support for civil society organisations and human rights defenders

Under the current laws, CSOs are, in theory, free to seek and receive funding both domestically and from abroad, from any sources and through any means, including online. In practice, CSOs use a broad variety of fundraising tools, ranging from online crowdsourcing and merchandising through corporate support to philanthropic and public grants. The rules for collecting individual donations⁶⁰⁵ prescribe that CSOs report separately on the money collected but does not otherwise burden them excessively.

However, foreign funding has for years been treated by the Government and the governing party as suspicious, and CSOs receiving grants from abroad are among the primary targets of smear campaigns. This continued in 2025 as well. For example, in February, the Prime Minister said at a governing party gathering that the “*political corruption network*” of George Soros and the Democrats will no longer pay their “*mercenaries*” with “*rolling dollars*” in Hungary, and asked the MPs to pass strict laws and “*ban*” those from Hungary who benefited from these funds.⁶⁰⁶ In his State of the Nation address, he called for “*shutting off the Soros network’s financial sluice gates, let the state bodies do their duty in protecting sovereignty*”, and referred to this as “*spring cleaning for Easter*”.⁶⁰⁷ This was followed by his speech likening independent actors to stinkbugs (see Question IV.17.).⁶⁰⁸ The Prime Minister welcomed the steps of President Trump suspending and then terminating foreign aid programs, and the Government appointed a special commissioner to “*uncover political corruption funds paid by the United States Agency for International Development to Hungarian entities*”.⁶⁰⁹

The Prime Minister’s statements came after an almost full year of operation of the SPO, with its “*investigations*” and “*reports*” repeatedly framing EU activities, EU funding and engagement with the EU’s rule of law toolbox as threats to the sovereignty of Hungary. After publishing reports on a number of CSOs, in 2025 the SPO’s publications focused (among others) on EU

⁶⁰⁴ See e.g.: <https://debreciner.hu/cikk/magukat-fasisztanak-vallo-fiatalok-tamadtak-meg-a-debreceeni-kozossegi-teret-amelynek-fenntartoja-ellen-evek-ota-hergel-a-fidesz>.

⁶⁰⁵ Government Decree 350/2011. (XII. 30.) on Certain Questions of the Management of Civil Society Organisations, Fundraising, and Public Benefit Status

⁶⁰⁶ See e.g.: <https://magyarnemzet.hu/belfold/2025/02/orban-viktor-ukrajna-kihelyezett-frakcioules-fidesz-kdnp-balatanfured-haboru-trump>.

⁶⁰⁷ See: <https://miniszterelnok.hu/en/prime-minister-viktor-orbans-state-of-the-nation-address-2025-02-22/>.

⁶⁰⁸ The speech, delivered on 15 March 2025, on the anniversary of the revolution and war of independence of 1848–1849, is available here in English: <https://miniszterelnok.hu/en/speech-by-prime-minister-viktor-orban-on-the-177th-anniversary-of-the-hungarian-revolution-and-war-of-independence-of-1848-49/>.

⁶⁰⁹ Government Resolution 1034/2025. (II. 27.) on the Appointment of a Government Commissioner Responsible for Uncovering Political Corruption Funds Paid by the United States Agency for International Development to Hungarian Entities

funding programs such as CERV,⁶¹⁰ Horizon Europe⁶¹¹ and the Asylum and Migration Integration Fund,⁶¹² listing some of their Hungarian beneficiaries in a hand-picked manner.

In a related move, a Hungarian member of the Patriots group in the European Parliament requested the European Commission in March 2025 to disclose the list of supported CSOs in the period 2019–2024 and the amount these CSOs received, claiming that the European Commission funding of CSOs is “carried out in a non-transparent way”.⁶¹³

In May 2025, these steps escalated in the tabling of the Bill on the Transparency of Public Life (see Question IV.16.). This caused some donors postponing or cancelling support; grant processes have been suspended; at some CSOs, board members and other representatives have stepped down; and the mental burden on the staff has been considerable.⁶¹⁴

There are several state instruments, e.g. the National Cooperation Fund and the City and Village Civil Funds, that support CSOs with significant amounts: the former with HUF 16 billion (€ 40 million), while the latter with HUF 4.8 billion (€ 12 million) each in 2025. However, the working procedures of these funding mechanisms are not transparent, e.g. the lists of supported projects are hard to find on the website and are not well searchable. As journalists have repeatedly shown⁶¹⁵ by analysing the grant call results,⁶¹⁶ the majority of this funding goes to organisations established and/or led by local leaders and figures of the governing party. While human rights and critical CSOs are not excluded per se, they have not received any grants for years from these sources. EU Structural Fund support is mainly distributed through pre-defined projects, and not open, competitive calls, strongly favouring state institutions and churches over CSOs. Meagre municipal grants cannot make up for missing funding, and local institutional philanthropy remains weak. Therefore, independent CSOs depend on foreign institutional and private donors as well as on micro-donations, which they collect with increasing efficiency. The negative impacts of the sudden termination of US governmental funding programmes in early 2025 were felt by several Hungarian organisations as well.

All CSOs can register to benefit from the 1% of personal income tax based on citizens’ assignation. In 2025, more than 30,000 CSOs were included in this scheme. While

⁶¹⁰ Sovereignty Protection Office, *Az Európai Bizottság CERV programja a Soros-szervezetek brüsszeli lába* [The European Commission’s CERV program is the Brussels leg of the Soros organisations], 19 January 2025, <https://szuverenitasvedelmihivatal.hu/hirek/az-europai-bizottsag-cerv-programja-a-soros-szervezetek-brusszeli-laba>

⁶¹¹ Sovereignty Protection Office, *Politikai projekteket is finanszíroznak az Európai Unió kutatási és innovációs programjából* [Political projects are also funded by the European Union’s research and innovation program], 15 May 2025, <https://szuverenitasvedelmihivatal.hu/hirek/politikai-projektek-is-finansziroznak-az-europai-unio-kutatasi-es-innovacios-programjabol>

⁶¹² Sovereignty Protection Office, *Migrációbarát befolyásolás közvetlen brüsszeli forrásokból* [Migration-friendly influencing from direct Brussels funds], 21 July 2025, <https://szuverenitasvedelmihivatal.hu/hirek/migraciobarat-befolyasolas-kozvetlen-brusszeli-forrasokbol>

⁶¹³ *Disclosure of the list of non-governmental organisation contracts*, Priority question for written answer to the Commission by Csaba Dömötör, P-001007/2025, 7 March 2025, https://www.europarl.europa.eu/doceo/document/P-10-2025-001007_EN.html

⁶¹⁴ Based on a survey among CSOs, carried out in July 2025: <https://www.nonprofit.hu/hirek/Elemzes-a-kozelet-atlathatosagarol-szolo-torvenytervezet-civil-szervezetekre-gyakorolt-hatasairol>.

⁶¹⁵ See e.g.: <https://444.hu/2025/05/21/ujra-kinyilt-a-kormanyzati-penzcsap-ami-kozpenzt-ont-az-allamparthoz-kozel-allo-civil-szervezetekre>.

⁶¹⁶ Available at: https://bgazrt.hu/wp-content/uploads/palyazati_kiirasok/varosi_civil_alap/2025/VCA-KP-1-2025_dontesi_lista.pdf.

organisations caring for children and stray animals have traditionally been the main beneficiaries, human rights CSOs also receive significant amounts and most recently the foundations of independent media outlets are becoming popular, too, with news portal Telex and YouTube-channel Partizán topping the list of 2025.⁶¹⁷ Besides this there are very little tax benefits: companies supporting CSOs with public benefit status can deduct 20% of the donation from their corporate tax (40% if the support exceeds three years), but individual taxpayers have no similar scheme. Corporate tax benefits are strongly biased towards professional sports.

E. Initiatives to foster a rule of law culture

19. Developments related to initiatives to foster a rule of law culture

No government measures were introduced in 2025 to foster a rule of law culture. Also, the centralised, compulsory curriculum of public education continues to incorporate very few elements of civic education. Instead of “fostering” it, the Government took, as in the previous years, various non-legislative steps that eroded rule of law culture in Hungary, as shown below.

The Government did not organise any meaningful national level discussion about the 2025 Rule of Law Report.

The Hungarian government organised two national consultations in 2025. “National consultations” are not adequate tools to ensure meaningful public consultations on key issues. The Government tends to ask manipulative questions on issues politically important for the Government, and not necessarily those important to public interests. Responses are counted in a methodologically neither sound nor controlled manner, therefore, they are not suitable to replace meaningful public consultation, and rather serve as propaganda tools.⁶¹⁸ In May–June 2025, the Voks2025 campaign was aimed against Ukraine’s accession to the EU, and was the most expensive national consultation in 15 years.⁶¹⁹ In October–December 2025, the Government pursued a new “national consultation” on taxation and energy, in which it included questions about alleged taxation plans of the biggest opposition party, although the opposition party denied the existence of such plans.⁶²⁰

The 2024 Rule of Law Report noted⁶²¹ that Act LXXIX of 2021 on Stricter Action against Paedophile Offenders and Amending Certain Acts for the Protection of Children (hereafter: 2021 Propaganda Law) amending, among others, Act CXC of 2011 on National Public Education, had authorised the responsible minister to regulate by decree the conditions of registration for CSOs that are allowed to give sexuality education classes in public education

⁶¹⁷ The list is available here: https://nav.gov.hu/ado/szja1_1/kimutatasok_elszamolasok/civil-szervezetek/egyszaz_kiut_2025/kozlemeny-a-2025-evben-szja-1-os-felajanlasban-reszesult-civil-kedvezmenyezettekrol.

⁶¹⁸ See: Agnes Batory – Sara Svensson, The use and abuse of participatory governance by populist governments, *Policy & Politics*, 2019, 47(2), pp. 227–244.

⁶¹⁹ See e.g.: https://hvg.hu/360/20250828_Voks-2025-koltsegvetes-legdragabb-nemzeti-konzultacio-15-milliard.

⁶²⁰ See e.g.: <https://telex.hu/belfold/2025/09/27/nemzeti-konzultacio-ado-fidesz-kerdesek>.

⁶²¹ European Commission, 2024 Rule of Law Report – Country Chapter on the rule of law situation in Hungary, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bfb-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, p. 37.

institutions,⁶²² but no such decree had been issued, thereby limiting the activity of the CSOs providing such classes. Since then, there has been no real progress in removing this obstacle. Effective from 12 June 2025, the Minister of Interior issued Decree 18/2025. (VI. 4.) BM regarding the registration of educational activities about “the harmful effects of drug use, the dangers of the internet and other physical and mental health promotion”, but did not include in it all of the topics listed in Article 9/A(1) of Act CXC of 2011 on National Public Education, as it lacks topics such as “sexual culture, sex life, sexual orientation, and sexual development”. Therefore, the de facto ban on CSOs’ educational programmes on sexuality education, hampering their capacity to work, still exists.

20. Any other developments related to the system of checks and balances

(1) Relating to LGBTQI+ people’s rights, overall, no progress has been made and the situation has instead further deteriorated. Legislation and discriminatory practices in Hungary continue to create a hostile environment for LGBTQI+ individuals; Hungary’s 2021 Propaganda Law still poses multiple legal challenges within the context of the rule of law.⁶²³

On 11 March 2025, MPs belonging to the governing majority of the Hungarian Parliament submitted the 15th Amendment to the Fundamental Law, which was adopted without public consultation and took effect on 15 April 2025.

The first paragraph of Article L) of the Fundamental Law was amended to include “[h]uman beings shall be male or female”⁶²⁴ aiming to strengthen the legal basis for prohibiting legal gender recognition in Hungary, violating Article 7 of the Charter of Fundamental Rights of the European Union, which acknowledges gender identity as an essential aspect of personal identity and guarantees the right to respect for private life. Based on this amendment, the Parliament removed “gender identity” from the list of protected grounds in the Equal Treatment Act.⁶²⁵

⁶²² According to Article 9/A of Act CXC of 2011 on National Public Education, besides teachers and professionals providing school health services, only those experts and CSOs that are registered by the organ designated by legislation may provide lectures on sexuality education, drug prevention, internet usage, or any other topics relating to mental and physical development in schools. In so doing, the 2021 Propaganda Law also introduced the possibility of petty offence proceedings against the head of the school and the person or member of the unregistered organisation who provides teaching on sexuality education, drug prevention, internet usage, or any other topics relating to mental and physical development without registration.

⁶²³ The Venice Commission established that the 2021 Propaganda Law’s “provisions under consideration are not formulated with sufficient precision so as to satisfy the requirement ‘prescribed by law’. The terms used in these provisions such as ‘propagation’, ‘portrayal’, ‘negatively influence’ and ‘homosexuality’ are too ambiguous to reach the standard of ‘foreseeability’ and the provisions do not sufficiently define the circumstances in which they are applied”. See: European Commission for Democracy Through Law (Venice Commission), *Opinion on the Compatibility with International Human Rights Standards of Act LXXIX Amending Certain Acts for the Protection of Children*, CDL-AD(2021)050, 13 December 2021, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2021\)050-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2021)050-e), para. 92.

⁶²⁴ The preamble of the 15th Amendment to the Fundamental Law specifies that “[t]he 15th Amendment to the Fundamental Law of Hungary confirms that the sex of a person at birth is a biological given, which can be either male or female. It is the duty of the state to ensure the legal protection of this natural order and to prevent efforts that suggest the possibility of changing the sex at birth. The fixed nature of biological sex ensures the healthy development of society and the maintenance of basic community norms.”

⁶²⁵ On 11 March 2025, Bill T/11153 was submitted to amend certain Acts of Parliament in relation to the 15th Amendment to the Fundamental Law. It introduced changes to Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities. Specifically, it involved the removal of Article 8(n), which addressed “gender identity”, from the list of protected grounds against discrimination. Additionally, the bill suggested replacing the

Another amendment of the Fundamental Law aimed to create a fixed hierarchy of rights, placing the right of the child to protection and care above all other rights, with the exception of the right to life.⁶²⁶ Consequently, in case of a conflict between the right of the child to protection and care and other rights, such as the right to freedom of peaceful assembly, restrictions are applied without the balancing exercise, leading to the deprivation of other rights of their substance.⁶²⁷

Based on this amendment of the Fundamental Law, the Parliament introduced a new ground to prohibit assemblies⁶²⁸ as it introduced an Article 13/A to Act LV of 2018 on the Freedom of Assembly (hereafter: Assembly Act), prohibiting holding “*an assembly that is in violation of a prohibition specified in Article 6/A of Act XXXI of 1997*” – referring back to that provision of Act XXXI of 1997 on the Protection of Children and Guardianship Administration that was introduced by the 2021 Propaganda Law.⁶²⁹ To attend such a prohibited assembly is a petty offence (misdemeanour) and punishable with a fine of up to HUF 200,000 (€ 500).⁶³⁰ The new restrictions on the right to freedom of peaceful assembly are a significant regression in the protection of LGBTQI+ rights and the rule of law in Hungary.⁶³¹

In several cases concerning assemblies supporting LGBTQI+ rights, the Kúria applied the rule of the precedence of the right of the child to the protection and care over the right to freedom of peaceful assembly. Throughout the spring and summer of 2025, the police banned all

term “sex” in Article 8(a) with “sex and corresponding identity”, but the list of protected grounds against discrimination remains non-exhaustive. The bill was adopted as Act V of 2025.

⁶²⁶ Article XVI (1) of the Fundamental Law was amended to include that every child’s “*right to the protection and care necessary for their proper physical, mental and moral development [...] shall prevail over any other fundamental right other than the right to life*”.

⁶²⁷ The Venice Commission established that this provision runs a risk of a structural failure to comply with the obligation stemming from the ECtHR’s case-law to conduct a balancing exercise in case of conflict between fundamental rights. See: 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*, 13 October 2025, CDL-AD(2025)043, [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).

⁶²⁸ On 18 March 2025, Bill T/11201 on Amending Act LV of 2018 on the Freedom of Assembly in Relation to the Protection of Children and Amending Related Acts of Parliament was submitted by MPs of the governing majority. The bill was forced through Parliament within a day and entered into force on 15 April 2025 as Act III of 2025.

⁶²⁹ In the pending court case against Hungary (Case C-769/22), the European Commission argues that the Article 6/A of the 2021 Propaganda Law breaches Article 2 TEU and Articles 1, 7, 11, and 21 of the Charter of Fundamental Rights of the European Union. The newly introduced provisions of the Assembly Act are broadening the use of Article 6/A in order to restrict freedom of assembly as well.

⁶³⁰ The new regulations also allow authorities to use facial recognition technologies to identify unknown perpetrators in the case of all petty offences. The new law also widens the scope within which the police may disperse a notified assembly, as now, any deviation from the notification may empower the police to disperse. The amendment also changed the rules on notification. It reduced the earliest possible time for notifying assemblies to the police from three months prior to one month prior to the planned date. For more details, see: Amnesty International Hungary – Háttér Society – Hungarian Civil Liberties Union – Hungarian Helsinki Committee, *Legislating Fear: Banning Pride is the latest assault on fundamental rights in Hungary*, 21 March 2025, https://www.amnesty.hu/wp-content/uploads/2025/03/AIHU_Hatter_HCLU_HHC_Pride_032025.pdf.

⁶³¹ In its opinion on the 2021 Propaganda Law, the Venice Commission stressed that these “*overly broad and potentially ambiguous terms or concepts lack precision, which is essential for legal texts, and that they may lead to different and potentially diverging interpretations*”. [European Commission for Democracy Through Law (Venice Commission), *Opinion on the Compatibility with International Human Rights Standards of Act LXXIX Amending Certain Acts for the Protection of Children*, CDL-AD(2021)050, 13 December 2021, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2021\)050-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2021)050-e), para. 48.] The overly broad nature of Article 13/A of the Assembly Act undermines the requirement of foreseeability, may lead to unfettered discretion in its application, and it provides insufficient protection against arbitrary use of power.

assemblies related to LGBTQI+ issues, with one exception, and the prohibitions were ultimately upheld by the Kúria.⁶³²

The Budapest Pride event, organised by the Municipality of Budapest, took place on 28 June 2025. Despite the fact that as a municipal event, it fell outside the scope of the Assembly Act, on 19 June 2025, the police issued a decision banning Budapest Pride.⁶³³ After the event had taken place, the police launched an investigation and identified the Mayor of Budapest as a suspect and questioned him in August. (Based on Article 217/C of Act C of 2012 on the Criminal Code, any person who organises a banned assembly, or who calls for participation in such an assembly, faces imprisonment for up to one year.) On 12 December 2025, the police proposed that the prosecutor should press charges against the Mayor over his role in organising the Budapest Pride.⁶³⁴

The organiser of Pécs Pride, a private individual, notified the police about the planned march and on 5 September 2025, the police issued their decision⁶³⁵ banning the assembly based on Article 13/A of the Assembly Act. The ban was again upheld by the Kúria.⁶³⁶ The organiser proceeded with the march on 4 October 2025. On 28 October 2025, the police summoned the organiser for interrogation as a criminal suspect for “organising a prohibited assembly”, and on 6 November, media reports indicated that the police recommended to the prosecutor to press charges.⁶³⁷ These cases expose a dangerous shift: in 2025 legal developments turned the exercise of human rights protected in the Charter into potential criminal acts.

(2) The 15th Amendment to the Fundamental Law also allows for the arbitrary “suspension” of Hungarian citizenship.⁶³⁸ The detailed rules for this were established by Act LXIV of 2025,⁶³⁹ with the Venice Commission being of the opinion that the statutory framework should be modified to comply with standards.⁶⁴⁰ The 15th Amendment also introduced the notion of “the

⁶³² See the following decisions of the Kúria:

Kgyk.VII.39.057/2025/8 (31 May 2025), www.kuria-birosag.hu/hu/gyulhat/kgykvi3905720258-szamu-hatarozat; Kgyk.VI.39.061/2025/7 (11 June 2025), www.kuria-birosag.hu/hu/gyulhat/kgykvi3906120257-szamu-hatarozat; Kgyk.VI.39.069/2025/6 (27 June 2025), www.kuria-birosag.hu/hu/gyulhat/kgykvi3906920256-szamu-hatarozat.

⁶³³ Decision of the Budapest Police Headquarters (19 June 2025), https://www.police.hu/sites/default/files/2025.06.28_Budapest_Tilt%C3%B3_hat%C3%A1rozat.pdf?fbclid=IwY2xjawLAuPhleHRuA2FlbQIxMQABHqwxPgAbALaaddRj7mtwsbkpJV6YPTP54pCneZvehEWUX24cEdA2BVGoZaKp_aem_L3iElpHcNrBIPUg8kO6_GQ

⁶³⁴ See e.g.: <https://www.reuters.com/world/hungarian-police-propose-charges-against-budapest-mayor-over-banned-pride-march-2025-12-12/>.

⁶³⁵ Decision of the Pécs Police Department (5 September 2025), https://www.police.hu/sites/default/files/2025.10.04_P%C3%A9cs_hat%C3%A1rozat.pdf

⁶³⁶ Decision Kgyk.VI.39.087/2025/8. of the Kúria (14 September 2025), <https://kuria-birosag.hu/hu/gyulhat/kgykvi3908720258-szamu-hatarozat>

⁶³⁷ See e.g.: <https://telex.hu/belfold/2025/11/07/pecs-pride-szervezo-vademeles>.

⁶³⁸ As of 15 April 2025, Article G) (3) Fundamental Law sets out the following: „No one shall be deprived of Hungarian citizenship established by birth or acquired in a lawful manner. The citizenship of a Hungarian citizen who also holds the citizenship of another State may be suspended for a definite period of time in accordance with the provisions of a cardinal Act. For the period of suspension, the person subject to suspension shall forfeit citizenship. Collective suspension shall be prohibited.” For more details, see: Hungarian Helsinki Committee, *Exclusion and threatening dissenters on a constitutional level – Information note on the 15th Amendment to Hungary’s Fundamental Law and accompanying laws*, 19 March 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/03/HHC_info_note_15th_Amendment_19032025.pdf, pp. 4–5.

⁶³⁹ Act LXIV of 2025 on the Amendment of Laws Related to the Suspension of Hungarian Citizenship

⁶⁴⁰ 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*, 13 October 2025, CDL-AD(2025)043, [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)

right to local identity” into the Fundamental Law.⁶⁴¹ This created the basis for an exclusionary “local identity law”,⁶⁴² leading municipalities to adopt decrees indirectly discriminating against the Roma community in housing, in violation also of EU law.⁶⁴³

⁶⁴¹ As of 15 April 2025, Article XXVII (1) of the Fundamental Law sets out the following: “Everyone residing lawfully in the territory of Hungary shall have the right to move freely and to choose his or her place of residence freely. The exercise of the right to choose place of residence freely shall be without prejudice to the fundamental right to self-identity of local communities in Hungary.”

⁶⁴² Act XLVIII of 2025 on the Protection of Local Identity

⁶⁴³ For details, see: Amnesty International Hungary – Hungarian Helsinki Committee – K-Monitor – Transparency International Hungary, *Assessment of Hungary’s compliance with conditions to access European Union funds*, November 2025, https://helsinki.hu/en/wp-content/uploads/sites/2/2025/12/HU_EU_funds_assessment_2025.pdf, pp. 68–69.; along with the arguments in the complaint submitted by Amnesty International Hungary to the European Commission: https://www.amnesty.hu/wp-content/uploads/2026/01/251222_Europai-Bizottsag_panasz_kirekesztesi-rendeletek_plusz-linkkel.pdf.