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The honouring of membership obligations to the Council of Europe by Hungary

Report[1]
Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)
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1. Reference to committee: Resolution 1115 (1997).

A. Draft resolution[2]

1. Hungary joined the Council of Europe on 6 November 1990. Upon accession, it undertook to honour the obligations incumbent on all member States under Article 3 of the Statute of the Council of Europe (ETS No. 1) with regard to pluralist democracy, the rule of law and human rights. The Parliamentary Assembly has closely followed Hungary's honouring of its Council of Europe membership obligations since 2013. In Resolution 2460 (2022), in light of long-standing concerns relating to the rule of law and democracy, the Assembly decided to open a monitoring procedure in respect of Hungary.

2. Since this resolution, the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) has requested five opinions from the European Commission for Democracy through Law (Venice Commission). These opinions cover the creation of an Office for the Defence of Sovereignty, judicial reforms, electoral reform, and a bill on the transparency of public life. The chairperson of the Committee on Equality and Non-Discrimination has submitted a request concerning the compatibility of the 15th amendment to the Fundamental Law with international human rights standards. The Assembly welcomes the adoption of the 2023 legislative reform that improved the independence of the judiciary and strengthened the self-governance of the judicial system. This is in line with the Venice Commission's recommendations and the Assembly's Resolution 2460 (2022). It stresses the need for the Hungarian authorities to execute the judgment in the *Baka v. Hungary* case in full and to fully guarantee judges' freedom of expression in matters of public interest concerning the judiciary. It invites the Hungarian authorities to consider structural solutions for the indexation of the salary base for judges to further guarantee their independence from political pressure.

3. The Assembly is seriously concerned by the lack of progress, and the worsening situation in certain areas, regarding a significant number of recommendations laid down in Resolution 2460 (2022).

4. In the field of constitutional law, the Assembly refers to Resolution 1941 (2013) and reiterates its concerns about the weakening of democratic checks and balances, as well as the instrumentalisation of the constitutional norms, Fundamental law and cardinal laws, to cement the political preferences of the ruling party. The Assembly calls on Hungary to ensure that appointments by parliament to the Constitutional Court, to high judicial positions and to independent supervisory bodies are made irrespective of the candidate's political affiliation, in line with the Venice Commission's opinions and reports, in particular in relation to qualified majorities and anti-deadlock mechanisms.

5. The Assembly notes the concerns regarding the law-making process, in particular as to its transparency, the effectiveness of public consultations on draft legislation and the role of the opposition in parliament. The Assembly is deeply concerned that Hungary has been under a special legal order since 2020, enabling the government to enact emergency decrees that override ordinary laws and further erode parliamentary oversight and checks and balances. The Assembly urges the Hungarian authorities to put an end to this "state of danger" special legal order well before the next elections.

6. In the field of elections, the Assembly refers to Resolution 2460 (2022) in which it concluded "that the current electoral framework does not ensure a level playing field conducive to fair elections." Successive reforms have amplified the distortion between the number of votes received and the number of seats held. Although Hungary's mixed system was initially designed to balance majoritarianism with proportionality, the reforms have favoured dominant parties, turning Fidesz's electoral victories into two-thirds constitutional majorities in every election since 2014. The Assembly notes that according to the Venice Commission's Opinion on Act LXXIX of 2024 amending certain laws relating to elections, the latest electoral reform failed to address this concern.

7. The Assembly concurs with the Venice Commission in calling for a complete overhaul of the electoral legislation after the 2026 elections, based on an inclusive consultation with main political parties, civil society organisations and scholars. Such a reform should:

7.1. take into account the outstanding recommendations of the Venice Commission and the Office for Democratic Institutions and Human Rights (ODIHR) regarding the determination of constituency boundaries;

7.2. reduce the number of single-member constituencies and counties in which each party needs to nominate candidates;

2. Draft resolution adopted by the committee on 9 September 2025.

7.3. enhance the transparency of the funding of political parties and electoral campaigns, including on social media, and ensure robust and politically independent enforcement of the regulations on political finance, including the State Audit Office;

7.4. reform the system for minority representation in parliament in accordance with the Court's decision in the *Bakirdizi and E.C. v. Hungary* case, and ensure the effective participation of persons belonging to all national minorities in the political decision-making processes and elected bodies at national level.

8. Regarding the fight against corruption, the lack of political will to tackle high-level corruption is deeply disturbing. The Assembly calls on the Hungarian authorities to authorise without delay the publication of the Group of States against Corruption (GRECO) reports assessing compliance regarding prevention of corruption in top executive functions and in respect of members of parliament, judges and prosecutors, to strengthen independent anti-corruption institutions, and to ensure transparent public procurement practices.

9. The Assembly calls on Hungary to ensure public oversight over "public interest asset management foundations" (KEKVAs) by guaranteeing transparent governance, parliamentary scrutiny, and accountability for all public assets and funds managed by these entities.

10. In the field of media, the Assembly reiterates its concerns regarding the concentration of media ownership, the lack of media pluralism and the political influence over media content. The Assembly calls on the Hungarian authorities to strengthen the functional independence of the Media Council, reducing the term of office of the Media Authority's president and withdrawing some of his/her powers of appointment. It also again calls on the Hungarian authorities to consider implementing a more open and pluralistic appointment procedure for Media Council members, including by allowing civil society groups to participate in the nomination process. Given the State's and State-owned companies' extremely significant role in the media advertising market, through which they channel significant State resources to pro-government media, the Assembly asks the authorities to ensure that the distribution of such advertising, including on social media, is fair and transparent.

11. With regard to civil society, the Assembly is deeply concerned by the succession of measures aimed at silencing civil society organisations and the independent media. The Assembly recalls that, as set out in the Reykjavik Principles for Democracy, civil society is a prerequisite for a functioning democracy as well as a safe and enabling environment in which civil society and human rights defenders can operate free from hindrance, insecurity and violence. To ensure such an environment, the Assembly calls on Hungary to abolish the Office for the Protection of Sovereignty and to amend the Bill on the Transparency of Public Life in accordance with the Venice Commission's recommendations.

12. The Assembly expresses its readiness to further the constructive dialogue and close co-operation with the Hungarian authorities in the framework of the monitoring procedure in order to support the implementation of these recommendations and looks forward to a fruitful collaboration that will reinforce Hungary's commitment to the Council of Europe's values and standards.

B. Explanatory memorandum by Mr Eerik-Niiles Kross and Mr George Papandreou, co-rapporteurs[3]

1. Introduction

1. Hungary became the 24th member State of the Council of Europe on 6 November 1990, committing itself to respecting the obligations incumbent upon every member State under Article 3 of the Statute of the Council of Europe (ETS No. 1) with regard to pluralist democracy, the rule of law and human rights.[4] This accession came shortly after the peaceful end of communist rule in Hungary, when the country transitioned into a democratic parliamentary republic. Hungary was the first former "Eastern Bloc" member to seek to join the Council of Europe.[5]

2. Since the adoption of a new Constitution in 2011, developments in Hungary have raised concerns and led the Assembly to intensify its work on Hungary's respect for the Council of Europe standards and the honouring of its membership obligations. The constitutional and legislative framework has been assessed time and again resulting, among other things, in the adoption of 27 opinions by the European Commission for Democracy through Law (Venice Commission) since 2011.

3. In 2011, a motion for a resolution on "Serious setbacks in the fields of the rule of law and human rights in Hungary"[6] was tabled which contained a request to open a full monitoring procedure. In 2013, the Assembly regretted "serious and sustained concerns about the extent to which the country is still complying with its obligations" and resolved to closely follow the situation[7]. In Resolution 2162 (2017) "Alarming developments in Hungary: draft NGO law restricting civil society and possible closure of the European Central University",[8] the Assembly agreed that the situation deserved "its close attention and the mobilisation of Council of Europe expertise to ensure compliance in the field of freedom of association and expression". In 2018, in its report on the progress of the Assembly's monitoring procedure,[9] the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) expressed concerns that the Hungarian Government was building an "illiberal democracy". The rapporteur mentioned "the accumulation of reforms that aim to establish political control of most key institutions while in parallel weakening the system of checks and balances."

4. In 2019, the Assembly agreed to prepare a periodic review report on the honouring of membership obligations by Hungary. As a result of which, the Assembly decided in Resolution 2460 (2022) to open a full monitoring procedure in respect of Hungary "in the light of the long-standing issues pertaining to the rule of law and democracy that remain largely unaddressed by the authorities".

5. We were appointed co-rapporteurs in January and March 2023. As part of the monitoring procedure the Monitoring Committee requested opinions from the Venice Commission on the draft bill on the "defence of national sovereignty", on an omnibus law related to justice matters, on the fourteenth amendment to the Fundamental Law of Hungary and on the 2024 electoral reform. We went to Budapest and Debrecen in November 2024 for a fact-finding mission. We reported to the Monitoring Committee on our findings in January 2025. In May 2025, the Monitoring Committee held an exchange of views with the Council of Europe Commissioner for Human Rights and the President of the Venice Commission on "Challenges to civil society and independent media in Hungary". On 19 May 2025, we issued a statement calling on the Hungarian Parliament not to adopt the draft law on "transparency in public life"[10] and in June 2025, the Monitoring Committee requested an opinion of the Venice Commission on this draft. A preliminary draft of this report was approved by the Monitoring Committee in June 2025 and sent to the authorities of Hungary for comments. We received these comments on 6 August 2025 and with the information provided, we have prepared this explanatory memorandum.

6. This report is not exhaustive research but an analysis of the situation in the country with regard to Council of Europe standards. We decided to focus this report on the issues highlighted in the 2022 report that concluded with the opening of a monitoring procedure for Hungary. In its Resolution 2460 (2022), the

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3. The explanatory memorandum is drawn up under the responsibility of the co-rapporteurs.
4. See AssemblM, Opinion 153 (1990), "Application by Hungary for membership of the Council of Europe".
5. See Assembly, report on Hungary's application for membership of the Council of Europe, Doc. 6288, 21 September 1990.
6. "Serious setbacks in the fields of the rule of law and human rights in Hungary".
7. Resolution 1941 (2013).
8. Resolution 2162 (2017).
9. Doc 14450 part4, "The progress of the Assembly's monitoring procedure (January-December 2017) and the periodic review of the honouring of obligations by Estonia, Greece, Hungary and Ireland Periodic review: Hungary".
10. The Hungarian draft law on 'transparency in public life' must not be adopted, say PACE monitors, 19 May 2025.

Assembly considered that "the undisputed exercise of power by the same coalition since 2010" had "significantly reduced the efficiency of the system of checks and balances". Moreover, it stated that "the cumulative effects of the measures that negatively impact the independence of the judiciary, the situation of media, transparency and accountability of State institutions overall undermined the functioning of democratic institutions". In order to grasp the cumulative effect of many different measures over a long period, we felt it necessary to consider the evolution of the different reforms adopted over the last two decades.

2. Functioning of democratic institutions

7. Hungary is a parliamentary republic with a single-chamber parliament: the National Assembly elects the Prime Minister and – by a two-thirds majority – the country's main public officials (President of the Republic, members and President of the Constitutional Court, President of the Supreme Court (Curia), Prosecutor General, President of the National Office for the Judiciary (NJO), Commissioner and Deputy Commissioners for Fundamental Rights and the Head of the State Audit Office).

8. Constitutional qualified majorities such as the two-thirds majority used in Hungary can play a crucial role in upholding the system of checks and balances in democratic governance. They are designed to prevent a single political force from unilaterally amending fundamental laws or single-handedly making potentially politicised appointments to key State institutions. This requirement is thought to encourage consensus, protect pluralism, and ensure that changes to the constitutional or institutional framework reflect broader societal agreement rather than the will of a temporary majority. According to the Venice Commission: "A qualified majority rule will not have any use in a system where the Government party or a block already has the necessary number of votes to appoint candidates single-handedly. In that case, the requirement of a qualified majority may be even detrimental to the opposition in the long run, (…) and the qualified majority rule will therefore help to cement the influence of the current governing majority."[11] One can therefore conclude that in a system where no single political party can have a qualified majority on its own, a system of constitutional qualified majority can be a helpful constitutional check, whereas such a measure would undermine democratic functioning where one party can secure the qualified majority. The evolution of Hungarian institutions provides a textbook example.

9. The Fidesz-KDNP coalition's practice has been contrary to the principle according which a qualified majority should function as a check in a democracy. It has modified the electoral legislation in a way that helped it to secure a two-thirds majority and made use of this two-thirds majority to unilaterally: modify the Fundamental Law, proceed to nominations to key institutions, and adopt cardinal laws that cemented policy choices. As a consequence, the system of institutional checks and balances in Hungary has been deeply altered in the favour of the executive power, to an extent that raises serious questions over the lack of adequate checks and balances in the Hungarian constitutional structure.

2.1. Electoral reforms and their impact on the perpetuation of two-thirds majorities

10. Parliament has 199 members, who are elected for a four-year term. Of these, 106 are elected using the first-past-the-post system in single-member constituencies. The remaining 93 are elected using proportional representation and national lists, with a threshold for single political parties at 5%, while it is 10% for two-party lists and 15% for multi-party lists. This system amplifies majorities and provides a significant advantage to the winning party.

11. The Fidesz-KDNP coalition won the parliamentary elections in 2010, 2014, 2018 and 2022, always achieving a two-thirds majority in parliament since the 2010 election (except between 2015 and 2018, after a by-election). Several important aspects of the electoral law have been modified since Fidesz took power.

2.1.1. Electoral map and voter lists

12. In 2010, the Fidesz-KDNP coalition won 53% of the vote, which translated into 68% of the seats in parliament. This was the second time since 1989 that a single coalition had held a two-thirds majority. The Fidesz-KDNP coalition decided to use this majority to draw up a new constitution: the Fundamental Law. The number of members of the unicameral parliament was halved (from 386 to 199).[12]

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11. CDL-AD(2019)015, "Venice Commission, Parameters on the relationship between the parliamentary majority and the opposition in a democracy: a checklist," 21-22 June 2019.
12. Act CCIII of 2011 on the Election of Members of the National Assembly.

13. This drastic reduction implied the redrawing of constituency boundaries. The Assembly called upon the Hungarian authorities to ensure that the electoral districts would be defined by an independent authority based on clear legal criteria, and that the district boundaries would not be defined by law, particularly not by a cardinal law. However, the ruling coalition decided to define the new constituencies precisely by a cardinal law. The boundary delimitation process was criticised for its lack of transparency, independence, and consultation. There have been widespread allegations of gerrymandering.[13] It was estimated that, as a result of the redrawing of the electoral map, assuming Fidesz and its rival received an equal number of votes in a general level, Fidesz would nonetheless be granted 10 more seats than its rival.[14]

14. In December 2024, the ruling coalition once again modified the electoral legislation, including the boundaries of some constituencies. The bill[15] contained 80 articles and a 26-page annex detailing the boundaries of the electoral districts in close detail. It was not presented by the government, but by a parliamentary committee, thus escaping the requirement for public consultation. No information was provided regarding the methodology used to redraw the constituencies. The draft reform was adopted in less than a month, despite fierce protests from the opposition in parliament. The Monitoring Committee submitted this law to the Venice Commission that adopted its opinion on 14 June 2025.[16]

15. The redrawing of electoral districts was done without prior consultation or transparency regarding the methodology employed, which contravenes European standards and the clear and repeated recommendations of the Venice Commission and the ODIHR (Office for Democratic Institutions and Human Rights) of the Organization for Security and Cooperation in Europe (OSCE). By doing so, the Hungarian authorities failed to adequately respond to Resolution 2460 (2022), which called for the process to be "transparent, to include all parties in parliament, and to be based on clear and widely accepted criteria." This lack of transparency further fuels concerns about possible gerrymandering in favour of the ruling coalition. In its 2025 opinion, the Venice Commission confirmed that: "The swift procedure that has been followed is not in line with the Venice Commission's Rule of Law Checklist, nor is it compatible with the Commission's Report on the Role of the opposition in a democratic Parliament. (…) it is regrettable that public consultation was avoided on such an important and sensitive matter as electoral law and, in particular, the redrawing of constituencies, which is directly relevant to the public and to citizens' participation in the democratic process."[17] The Hungarian Government is perfectly aware that the rule of law requires sufficient time to allow for consultations: when requested to modify its electoral legislation following a judgment from the European Court of Human Rights, it explained the lack of action as follows: "The judgment raises the need to change the legislation. Amendments can only be made after extensive consultations with the participation of the nationalities and other stakeholders. This process needs sufficient time.»[18]

16. Changes brought about by the 2011 electoral reform also allowed Hungarian citizens living abroad to vote, but under different conditions depending on their Hungarian residency history. Those living abroad but who have a legal residence in Hungary can vote in the polling stations set up at Hungarian diplomatic missions. These voters can vote for both the national proportional list and the constituency components of the elections. Conversely, voters who do not have a residence in Hungary can vote by post, but only for the national proportional list. This postal voting provision mostly extends to the Hungarian diaspora in neighbouring countries who have dual citizenship. Many concerns were voiced over the reliability of postal voting, and allegations of fraud have been raised.[19] However, the National Election Office declared itself incompetent as the alleged fraud occurred outside the territorial scope of the law, a decision that was confirmed by the Curia.[20] The postal voting register contains the details of half a million voters. In the 2022 parliamentary elections, Fidesz received 93.89% of the diaspora vote whereas the national average for the party list was at 54%.

17. According to the ODIHR, the differing modalities for out-of-country voting, depending on whether voters have had a Hungarian domicile or not, challenge the principle of equal suffrage. Given the high risk of fraud with postal ballots, the inability to investigate potential fraud by the National Election Office and the significant

13. OSCE/ODIHR, "Final report on Hungary Parliamentary elections 6 April 2014". See also *The Economist*, 2 April 2022, "A wild gerrymander makes Hungary's Fidesz party hard to dislodge".
14. "Halfway into the Hungarian electoral reform", Political capital, 19 April 2012.
15. "Egyes választási tárgyú törvények módosításáról".
16. CDL-AD(2025)018, "Opinion on Act LXXIX amending certain law relating to elections", 14 June 2025.
17. Ibid, para. 12
18. Communication from the authorities (18 December 2024) concerning the case of Bakirdzi and E.C. v. Hungary (Application No. 49636/14). Information made available under Rule 8.2a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.
19. https://hungarytoday.hu/discarded-burnt-postal-ballots-scandals-postal-voting-hungary-fidesz-opposition-rmdsz/.
20. Kvk.VII.39.408/2022/2. számú határozat.

discrepancy between the results of the postal vote and the national average, we believe that this system requires reform. In line with the ODIHR recommendations, we consider that setting uniform voting procedures and voter registration for citizens abroad should be a priority. In its 2025 opinion, the Venice Commission also called for a reform of this system in a future reform.

18. In 2021, the requirements for civil registration and residency were redefined in a way that weakened safeguards against manipulation of the voter register. According to this legislation, voters could register their legal residence and therefore vote in any district in the country, even if they did not live there. This new provision could allow voters to register in constituencies where a very close race is expected, a situation described as "voter tourism". According to the National Election Office, 157 551 voters registered to vote in places other than their legal residences in 2022. However, the National Election Office's decision to "adopt a novel approach to data formatting" has made it impossible to draw precise comparisons of the voter registers following the adoption of this law.[21]

19. Voters who self-declared that they belong to a national minority may choose to vote for the respective national minority list, in which case they do not participate in the vote on the national party lists. Each of the 13 national minority self-governments are entitled to submit a single candidate list. The first candidate on the list requires one fourth of the standard electoral quota to be elected. If this preferential quota is not reached, the national minority is entitled to a non-voting parliamentary spokesperson. In 2022, the European Court of Human Rights ruled that the Hungarian system for minority representation violated the right to free elections in conjunction with the prohibition of discrimination in the *Bakirdizi and E.C. v. Hungary* case. The Court held that, while there is no international obligation for States to establish a preferential system for minority representation, if a State chooses to do so, it was only natural that that measure should help to enable national minorities to participate in the choice of the legislature on an equal footing with others, rather than perpetuate the exclusion of minority representatives from political decision making at a national level. In this case, the system that had been put in place limited their political effectiveness as a group and threatened to reduce, rather than enhance, diversity and the participation of minorities in political decision making. In any case, under article 15 of the Framework Convention for the Protection of National Minorities (ETS No. 157), Hungary must take measures in order to ensure effective participation of persons belonging to all national minorities in cultural, social and economic life and in public affairs, in particular those affecting them. Such obligation implies that persons belonging to all national minorities must have equal opportunities to the majority population when it comes to the participation in the political processes in the country, including meaningful and effective representation in the parliament.

2.1.2. Modification to the suffrage rules: turning simple majorities into super-majorities

20. The electoral reforms also modified suffrage in the 106 individual constituencies by replacing the two-round system with a first-past-the-post system. This change occurred alongside the loosening of the rules for the creation of new political parties, resulting in the formation of numerous "fake parties" that diluted the vote.[22] The combined effects of the first-past-the-post system and a larger number of political parties mathematically favours the largest party. In the 2022 parliamentary elections, Fidesz-KDNP candidates received 52.5% of the constituency votes, but were awarded 82% of the constituency seats.

21. The rules regarding party-list votes have also been modified to favour dominant parties. Prior to 2014, votes for losing constituency candidates were added to party list votes in an attempt to balance the number of votes for particular parties with their share of parliamentary seats. However, in December 2011, the law was changed so that the votes of the winning candidate in excess of the strict majority are also added to the party list. This creates a form of "winner compensation". This amplifies the disproportion between the number of votes received and the number of seats held. Although Hungary's mixed system was initially designed to balance majoritarianism with proportionality, these reforms have skewed it in favour of dominant parties.

22. Since its introduction, this system has enabled Fidesz-KDNP to get six additional seats in 2014,[23] five in 2018, and six again in 2022. Consequently, this "winner compensation" system has transformed simple majorities into two-thirds majorities in each election since its introduction.

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21. For details, see: "ODIHR Election Observation Mission Final Report", Parliamentary Elections and Referendum, 3 April 2022, p. 16.

22. See: Alex Cooper, "Fake Parties, Real Money: Hungary's Bogus Party Problem," Organized Crime and Corruption Reporting Project, 10 December 2018. According to the ODIHR: "While the misappropriation of public funds was the most commonly cited ground for the proliferation of these parties, other reasons included their potential for dividing the vote, particularly in tightly contested races." ODIHR, "Hungary, Parliamentary Elections", 8 April 2018, Statement of preliminary findings and conclusions.

23. See ODIHR, "Final report on Hungary Parliamentary elections, 6 April 2014".

2.1.3. Financing of political parties and political campaigns

23. Hungary has a legal framework governing campaign financing, including substantial State funding and spending limits. However, the system is undermined by weak enforcement, a lack of transparency and the dominance of indirect campaign support. These issues contribute to significant disparities between parties and persistent risks of corruption.

24. According to the Group of States against Corruption (GRECO): "The general lack of transparency in the financing of election campaigns is an area of particular concern in the light of the credible evidence that a great majority of such funding is not accounted for or reported at all."[24] The ODIHR and GRECO[25] have long called for a review of Hungarian legislation on political parties. In particular, the transparency of campaign funding should be improved by disclosing donations that exceed a certain amount. To create a more level playing field, spending by third parties on campaigns should also be limited. In its latest assessment on the transparency of party funding, GRECO considered that concerns remained largely the same, noting that the Election Procedure Act had been amended during the GRECO evaluation procedure without implementing GRECO's recommendations for better transparency.

25. According to a report by three Hungarian non-governmental organisations, Fidesz-KDNP spent almost eight times more than the opposition on public billboards during the 2022 parliamentary election campaign.[26] The 2024 European Parliament election campaign once again highlighted significant disparities in political spending. Advertising expenditure in support of the Fidesz campaign on social media platforms (Meta and Google) reached €5.4 million, while all 15 opposition parties and their associated media spent a quarter of that sum: €1.4 million.[27] This imbalance is exacerbated by the overlap between the political campaigns and communications of the government and governing parties, and the massive recourse to third-party funding. For instance, two government-affiliated actors played a major role in the campaign. Megafon, an organisation that trains, co-ordinates, finances, and promotes pro-government social media "influencers", spent almost €2.2 million on political advertising in social media, and the Civil Union Forum (CÖF), an NGO to which Fidesz usually outsources its negative campaigning, spent another €0.4 million. The two proxies together spent two times more than all opposition parties combined.

26. The State Audit Office of Hungary (ÁSZ) plays a central oversight role in political campaign financing. It is mandated to audit the use of funds spent on election campaigns. Its president is appointed by the parliament, by a two-third majority vote, for an exceptionally long term of 12 years. Between 2010 and July 2022, the Office was headed by a former MP and deputy leader of the Fidesz parliamentary faction, who resigned from his political positions after his appointment. The impartiality of this Office is put in question as it has imposed severe fines on opposition parties on several occasions (€1.7 million in 2017, €1.3 million in 2024) but at the same time did not impose fines on the ruling party, despite evidence of similar practices in campaign financing.[28]

2.2. Partisan use of constitutional reform and cardinal laws

27. The ruling coalition's two-third majority since 2010 (with a two-year hiatus due to a by-election) allowed in practice to modify the institutions without needing to meaningfully consult with, or to seek consensus or support from other stakeholders.

2.2.1. Unilateral constitutional reforms

28. In 2011, the discussion of the draft Constitution in parliament took nine days altogether, with all opposition amendments rejected. The Fundamental Law was adopted by Fidesz-KDNP members of parliament, as the opposition boycotted the final vote.[29] Since then, 15 further constitutional amendments have been adopted.

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24. GRECO, "Evaluation report, Transparency of party funding". https://www.coe.int/en/web/greco/home.
25. See GRECO, "Second Addendum to the Second Compliance Report on Hungary", 1 August 2019; and ODIHR "2022 Final report".
26. K-Monitor, Political Capital and Transparency International, "Választási kampány 2022: törvényt sérthetett a Fidesz, nyolcszoros túlerőben a kormányoldal plakátkampánya az ellenzékkel szemben".
27. Political Capital, Mertek Media Monitor, Lakmusz, European media and information fund, "Fidesz & Co. flooded social media with anti-Western hostile disinformation in Hungary's election campaign, reaching EU spending records", June 2024.
28. See: OSCE/ODIHR, "Hungary, Parliamentary Elections and Referendum, 3 April 2022: Election Observation Mission Final Report", 29 July 2022; and European Commission, "2025 Rule of law report", Country Chapter on the rule of law situation in Hungary, 8 July 2025.

29. In Resolution 1941 (2013), the Assembly underlined that "the main justification for a qualified two-thirds majority in constitutional matters is to protect the constitutional framework from frivolous changes by a ruling party and to ensure that the constitution is based on as wide a consensus as possible between all political forces on the legal and democratic foundations of the State. The possession of a two-thirds majority does not relieve a ruling party or coalition from the obligation to seek consensus and to respect and accommodate minority views and interests. The attempt of the ruling coalition in Hungary to use its unique two-thirds majority to push through reforms has been in contravention of these democratic principles."

30. Nevertheless, to our regret, the ruling majority has continued to adopt hastily debated constitutional amendments, without the support of the opposition. In 2021, The Venice Commission once again deplored the expeditious procedure for the adoption of the ninth amendment to the Fundamental law, stating that the swift procedure that had been followed, without any consultation, did not respect the role of the opposition in a democratic parliament and noting that no reason had been given as to why this amendment should have been adopted through such a fast-track process.[30] The tenth, eleventh, twelfth and thirteenth amendment were adopted in a similar manner.

31. The fourteenth amendment to the Fundamental Law was introduced on 19 November 2024. Detailed discussions in committee lasted a day and the justice committee's report on the in-depth debate is one page long. The bill was adopted a month after its submission, with only Fidesz-KDNP members voting in favour. Four months later, on 12 March 2025, the fifteenth amendment to the Fundamental Law was proposed. In a letter addressed to the Speaker of the National Assembly of Hungary, the Council of Europe Commissioner for Human Rights raised several concerns about the compatibility of this amendment with Council of Europe and international human rights standards. Nevertheless, the parliament adopted the fifteenth amendment on 15 April 2025, hardly a month after it was tabled.[31] The amendment was approved by Fidesz-KDNP members, and the members of the far-right party "My Hazank". All other opposition members voted against.

2.2.2. Use of the two-thirds majority to cement political preferences and weaken checks and balances

32. Lacking the restraint imposed by the necessity to seek consensus or accommodate minority views, the ruling majority has been able to draft and amend the constitution single-handedly. As a result, constitutional rules have been modified with a result that weakens the institutional checks and balances and imposes the ruling parties' political choices on future governments by granting them supra-legal value. For instance, the Fundamental Law contains provisions that should normally be dealt with in ordinary legislation such as the right to pay with cash, and includes detailed provisions on the pension system, family support, and taxation, thus enshrining ordinary policy choices with the status of constitutional or cardinal law, unamendable without a two-thirds majority.

33. "Cardinal laws" are adopted at a two-thirds majority. They were intended to prevent changes concerning matters related to the Constitution being made too easily. They are important in the Hungarian Constitution, designed to provide stability, protect minority interests, and entrench the most important elements of the State. The Assembly has raised concerns about their use for issues that should be left to ordinary legislation and majoritarian politics. The more policy issues are transferred beyond the powers of simple majority, the less significance future elections will have and the greater the chance that a two-thirds majority can cement its political preferences and the country's legal order. Elections would become meaningless if the legislator could not change important aspects of the legislation. Thus, when very detailed rules are enacted in cardinal laws, "the principle of democracy itself is at risk".[32] The extensive use of cardinal laws by the ruling majority is another way of using its two-thirds majority to impose its political preferences and limit the possibilities of future majorities to implement their own political agenda.

34. A two-thirds majority can also control the appointments to many independent bodies that play a crucial role in the system of checks and balances, such as the Constitutional Court. Prior to 2010, the appointment of constitutional judges required broad parliamentary consensus, preventing domination by any single political faction. In 2011, the Fidesz-KDNP majority amended the rules, allowing judges to be appointed without opposition support, increasing the number of judges from 11 to 15 and extending the term length to 12 years. As a result, of the 19 judges appointed since 2010, only four required opposition support during a brief period when the government lacked a supermajority. The ruling party has thus been able to shape the Constitutional

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29. The adoption of the 2011 Fundamental Law has been extensively described in Doc. 13229 and Resolution 1941 (2013).
30. CDL-AD(2021)029, para. 013.
31. https://abouthungary.hu/news-in-brief/hungary-s-parliament-adopts-15th-amendment-of-fundamental-law.
32. CDL-AD (2011)016, para. 26.

Court's composition, raising concerns about its impartiality and its alignment with government interests. In July 2023, four judges were elected to the Constitutional Court. All four were elected exclusively by the Fidesz-KDNP coalition. The opposition proposed one candidate out of four nominees, but his nomination was not even put to vote.[33] In December 2024, the eligibility rules for Constitutional Court judges were changed once again, by removing the requirement of having 20 years of legal experience in jobs specifically requiring a law degree. This amendment was made shortly before the governing parties were set to nominate three new justices to the Court.

35. The election of the President of the Curia gives an example of the politicization of the appointment process by the ruling majority. The current president of the Curia, Mr Zsolt András Varga, was elected in 2020. He was formerly a member of the Constitutional Court. The National Judicial Council, constitutionally tasked with safeguarding the independence of courts and judges, had ruled against his candidacy by 13 votes to 1, saying that his appointment "does not respond to the constitutional requirement according to which the person sitting at the top of the court system shall be independent from other branches and shall appear as impartial to an external observer as well."[34] The Venice Commission also considered that the appointment of the President of the Curia could pose serious risks of politicisation and significant consequences for the independence of the judiciary.[35]

36. The same pattern was found for the election of the Prosecutor General, the Commissioner for Fundamental Rights, the President of the State Audit Office, the President and all four members of the Media Council. Therefore, all these authorities have been single-handedly chosen by the ruling majority, weakening the system of constitutional checks and balances.

37. This practice of appointments also politicises supervision bodies that should be independent, therefore seriously jeopardising the checks and balances necessary to keep the government accountable. They also create a threat of institutional deadlocks for future governments, that risk being hampered in their action by politicised "independent authorities".

2.3. The legislative process and the separation of powers

38. The weakening of checks and controls and the lack of accountability of the government are all the more worrying that the parliament is not playing its supervisory role in a satisfactory manner, due to the abuse of legislative process.

39. Dominated by supermajorities, the parliament has lost its role of acting as a spokesperson or advocate for the people, especially for marginalised or under-represented groups, and serving as a check on executive power. "Democratic principles imply that complex and controversial bills would normally require particularly long advance notice, and should be preceded by pre-drafts, on which some kind of (internet-) consultation takes place. The public should have a meaningful opportunity to provide input […]. Allocation of additional time for public consultations increases the ability of the opposition to influence the content of the legislative proposals by the Government or the majority. The majority should not manipulate the procedure in order to avoid such public consultations".[36] The legislative process in Hungary is far from meeting these requirements regarding transparency, public participation, and the quality of law-making.

40. Formally, the vast majority of draft laws are adopted at the initiative of the government, after public consultation. However, on some of the most important reforms, such as amendments to the Fundamental Law, the government frequently circumvents meaningful public input by getting parliamentary committees or majority MPs to introduce major legislative initiatives. For instance, this was the case of the Sovereignty Protection Act or the fourteenth amendment to the Fundamental Law. The government is also often proposing only technical amendments in draft laws, before introducing new and substantive amendments in the bill at a very late stage, immediately prior to plenary votes, through the Committee on Legislation. This way, regular parliamentary debate and public consultation are avoided. Consultation periods are almost never extended beyond the statutory minimum of eight days, and draft laws are typically published with minimal or opaque reasoning, undermining informed public discourse. Empirical data shows that the vast majority of public opinions are rejected without substantive justification, and official reports on legislative targets lack transparency regarding exemptions and methodology, impeding external assessment. Furthermore, the

33. Hungarian Conservative, 05.07.2023, New Judges Confirmed to the Constitutional Court.
34. https://orszagosbiroitanacs.hu/az-obt-velemenyezte-a-kuriai-elnokenek-javasolt-szemelyt/.
35. CDL-AD(2021)036, Opinion on the amendments to the Act on the organisation and administration of the Courts and the Act on the legal status and remuneration of judges adopted by the Hungarian parliament in December 2020, §15.
36. Venice Commission, CDL-AD(2019)015, Parameters on the Relationship between the Parliamentary Majority and the Opposition in a Democracy: a checklist, para 74.

quality and transparency of impact assessments remain inadequate, with key reforms and capacity-building measures for parliamentary support still unfulfilled.[37] The increasing use of nominally public hearings conducted electronically further restricts genuine participation, especially for contentious projects. Collectively, these practices underscore persistent deficiencies in the inclusiveness, accountability, and quality of Hungary's legislative process. All reports from international institutions, such as the European Commission, the Venice Commission, the OSCE/ODIHR, the European Parliament or our Assembly have underlined the lack of meaningful debate and consultation in parliament on the most important and controversial laws.

41. This lack of democratic debate was brought to an extreme with the continuing unrestricted use of "special legal orders". The government first acquired emergency powers during the Covid-19 pandemic: it declared a state of danger on 11 March 2020. Back then, many decrees were aimed at mitigating the immediate threat from Covid. On 25 May 2022, immediately after the Covid-19 state of danger ended, the government declared a new state of danger, this time citing the war in Ukraine and associated humanitarian risks as a justification. The legal framework for special legal orders was amended as of 1 November 2022, broadening the government's authority to declare a state of danger for various reasons, including humanitarian catastrophes in neighbouring countries. The fifteenth Amendment and Bill T/11153 changed the legal framework once again, with effect from 1 January 2026. As a result, setting aside any law through a government decree will require prior parliamentary authorisation. The constitutional rules according to which the initial length of the "state of danger" is 30 days and an extension by the government requires parliamentary authorisation remain unchanged.

42. This practice is in complete contradiction with the principles governing states of emergencies. The government has made an extensive use of such emergency decrees – issuing over a thousand since 2020 – to change legislation overnight and without any possibility for discussion. The little control remaining by parliament has disappeared. The government has used the power to rule by decree to legislate in matters that appear completely unrelated to the war in Ukraine, for example to deal with a growing economic and fiscal crisis. In response to the "humanitarian crisis", the government has issued emergency decrees which include economic measures such as price controls; state control over certain companies; revised regulations on electricity, natural gas and oil supply; and special measures on important raw materials such as wood.[38] In early 2022, when Hungarian teachers' unions organised strikes to protest against low wages, increased workload, and a lack of autonomy, the government issued an emergency decree that made it effectively impossible to organise a meaningful strike.

43. Parliamentary oversight and control were further weakened by the institution of KEKVA or "public interest asset management foundations". Since 2021, these foundations have been used to transfer massive amounts of public assets — including universities, real estate, state companies, and other valuable holdings — out of direct State ownership and into the hands of boards dominated by political appointees. The government transferred thousands of billions of Forints worth of assets to KEKVA foundations. Over 70% of Hungarian higher education, along with museums, State farms, and corporate assets, is now owned by these trusts. The law establishing KEKVA foundations explicitly states that these bodies should be independent of "whatever government is in power at the time". In practice, this means that elected officials — whether in government or opposition — have no formal oversight over the foundations' activities or assets. The foundations operate with the autonomy of private entities, even though they manage public assets and receive public funds. There are no robust mechanisms for public or parliamentary scrutiny of their decisions, spending, or asset management. Once again, these institutions will seriously limit the ability of future governments to implement their own policies.

3. Respect for the rule of law

3.1. Independence of the judiciary

44. According to the European Commission for the efficiency of justice (CEPEJ), the judicial system in Hungary is efficient.[39] Digitalisation of the justice system is very high. Hungary performs very well as regards the estimated time needed to resolve litigious civil and commercial cases as well as administrative cases at all court instances.

37. See European Commission "Rule of Law report 2024".
38. Mészáros G., "How Misuse of Emergency Powers Dismantled the Rule of Law in Hungary". *Israel Law Review*. 2024;57(2):288-307. And Gárdos-Orosz, F. and Burján, E. (2025) "From Constitutional Risk Management to Constitutional Risk Management (Emergency Law Misuse) in Hungary", *European Journal of Risk Regulation*, pp. 1–12.
39. European Commission for the efficiency of justice (CEPEJ).

45. However, the level of perceived judicial independence in Hungary is low among the general public and companies. According to EU official figures, 37% of the general population and 38% of companies perceive the level of independence of courts and judges to be "fairly or very good" in 2025. The perceived level of independence among the general public has decreased in comparison with 2024 (41%), as well as in comparison with 2021 (41%).[40] The judicial system is under constant political pressure. The Hungarian judicial system underwent significant restructuring after 2010, shifting from an independent National Council of Judges (NCJ) to a mixed system comprising the President of the National Judicial Office (NJO) and a new National Judicial Council (NJC).

46. The NJO is composed of a President, elected by a two-thirds majority of the members of parliament, and vice-presidents appointed on the proposal of the president. Only a judge may be elected as president of the NJO. Almost all the powers of the NJO are vested in person to its president.

47. The NJC is composed of 15 members, all judges. The president of the Curia – elected by parliament with a two-thirds majority – is member ex officio. The 14 other members are elected by the assembly of judges by a secret ballot.

48. As a result of this reform, administrative powers have been concentrated in the hands of the NJO president while relegating the NJC to a largely supervisory and subordinate role with minimal real authority. The NJO president's broad discretion over judicial appointments and the power to reassign judges without their consent – ostensibly to balance workloads – has been criticised as lacking adequate safeguards against abuse and undermining the principle of judicial irremovability,[41] leading to concerns being raised by the Venice Commission, GRECO, the Commissioner for Human Rights and the European Commission about judicial independence and the lack of effective checks and balances.

49. In December 2022, after the Assembly decided to open a monitoring procedure, Hungary's access to EU funds under the Recovery and Resilience Facility (RRF) was made conditional on meeting 27 "super milestones" set by the Council of the European Union as a response to long-standing rule of law concerns, particularly regarding the independence and effective functioning of Hungary's judiciary. As a consequence, the Hungarian Parliament adopted Act X of 2023, a legislative reform package specifically designed to address these EU requirements and unlock frozen EU funds. These measures included, *inter alia*, increasing the powers of the independent National Judicial Council, to limit undue influence and discretionary decision making by the NJO president and ensure a more objective and transparent administration of courts; reforming the functioning of the Curia to limit the risk of political influence; removing the role of the Constitutional Court in reviewing final decisions by judges on request of public authorities. The European Commission approved Hungary's reforms in December 2023, allowing Hungary to begin claiming EU funds.[42] These reforms addressed issues that had been raised by the Assembly in its Resolution 2460 (2022), and represent a major step forward for the independence of the judiciary in Hungary. We welcome these positive developments.

50. However, the most recent developments underline the persisting challenges to the independence of the judiciary. The levels of remuneration in the judiciary are among these challenges. In Hungary, judges' salaries are among the lowest in the European Union. Based on the 2023 data the CEPEJ found that: "the absolute gross salary of a judge at the beginning of his/her career in Hungary is 25 759€, which is significantly below the EU median of 58 128€. Hungary is the country with the lowest minimum absolute gross salary in the EU. Compared with the annual average salary in the country, the salary for a judge at the beginning of his/her career is 1,3 times higher (the EU median is 1,9)."[43]

51. Judges' salaries are not automatically indexed in Hungary; salary modifications depend on the adoption of the annual budget. Since 1 January 2022, the base salary has remained unchanged, while inflation has reached 40% during the same period. The annual central budget for 2025 and 2026 raised the salary base for judges by 15 % and 10 % respectively. But the decision process has raised concerns. According to Hungarian law, the Minister of Finance is obliged to include the base salary amount proposed by the NJO President without modification in the draft budget; the parliament is then free to adopt or amend the draft. However, on 11 November 2024, the Ministry of Finance submitted a draft budget that did not include the proposed base salary increase (the NJO president had proposed a 35% increase). The government then stated that any

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40. European Commission, "2025 Rule of law report, Country Chapter on the rule of law situation in Hungary", 8/7/2025, p.4.
41. For an in-depth analysis, see PACE, "The honouring of membership obligations to the Council of Europe by Hungary", Doc. 15619, 26 September 2022.
42. Press release, 13 December 2023, "Commission considers that Hungary's judicial reform addressed deficiencies in judicial independence, but maintains measures on budget conditionality".
43. CEPEJ, "2025 EU Justice Scoreboard: Part 2 – Country fiches for each EU Member States", 1 July 2025, p.656.

salary increase would be subject to negotiations on structural judicial reforms[44]. A draft "Agreement" was then proposed to the NJO for adoption, but it was kept confidential until the NJO made its decision. The Hungarian Association of Judges (MABIE) released a statement protesting against the decision, warning of a serious breach of judicial independence. Despite strong opposition from judicial associations, on 22 November 2024 the president of Curia, the president of the NJO, the president of the NJC and the Minister of Justice signed the 'Agreement'. In the face of opposition from the legal profession, the president of the NJC resigned on 3 December 2024 and the NJC withdrew from the agreement on 15 January 2025.

52. Meanwhile, the president of the Parliamentary Committee on justice submitted the fourteenth amendment to the fundamental law, containing some dispositions that were part of the contested "Agreement", and a proposal to amend the law on the Constitutional Court. A fifteenth amendment to the Fundamental law was adopted on the proposal of Fidesz party members, and an omnibus Law on the amendment of judicial laws was tabled by the government. Following a request from the Monitoring Committee, the Venice Commission has adopted an opinion on these texts insofar as they have an impact on judicial appointments.[45]

53. The Venice Commission noted that: "the judiciary was not effectively consulted on the constitutional changes that directly impacted on the appointment and retirement of judges. (…) the Venice Commission believes that there should have been effective consultations with the judiciary, which could have taken place as consultations with the National Judicial Council and with the judicial community."[46]

54. This lack of consultation of the judicial community is all the more worrying that pressure on judges continue, including in relation to internal debates on key issues related to judicial independence. The Curia President criticised the presidents of the service courts who had signed a letter of protest against the quadrilateral "Agreement" with the government and declared that the service court presidents "irresponsibly and arbitrarily deceive their fellow judges", and "are consciously forging lies".[47] On 20 March 2024, government-aligned media released an article falsely "accusing" the former NJC President of having terminated the pre-trial detention of a person charged with possessing child pornography.[48] In January 2025, after the same former NJC President published an article claiming that Hungary was at the verge of a full-scale capture, another smear campaign was launched against him.[49] The continuation of this climate of hostility is a serious concern, as Hungary has been sentenced for violation of the European Convention on Human Rights (ETS No. 5) in the case of *Baka v. Hungary* in which the Court pointed a "chilling effect" discouraging judges and court presidents from participating in public debate on issues concerning the independence of the judiciary. The execution of this case, under enhanced supervision, was reviewed in March 2025. The Committee of Ministers "invited the authorities, (…) to consider adopting further general measures to address the "chilling effect" present in the judiciary and to ensure that judges' freedom of expression, notably related to matters of public interest concerning the judiciary, is unambiguously guaranteed not only in theory but also in practice".[50]

3.2. Prevention and repression of corruption

55. The weakening of checks and balances, the attacks on the independence of the judiciary and the attempts to politicize the judiciary have adverse consequences on the fight against corruption.

56. The perceived level of corruption in Hungary is among the highest in Europe, with no progress reported in recent years. According to the 2025 Eurobarometer survey on citizens' attitudes towards corruption, 88% of Hungarians consider the level of corruption in their country to be 'widespread'.[51] In the same survey, 78% of

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44. *Szabad Europa*, 12 November 2024, "A kormány csomagban tárgyaltatja a bírók fizetésemelését az igazságügyi jogszabályok módosításával" (The government is negotiating a package of salary increases for judges by amending judicial legislation)
45. Venice Commission, "Opinion on Constitutional and legislative amendments concerning the requirements to be appointed prosecutor general and constitutional court judge, as well as the appointment and retirement of judges", CDL-AD(2025)028, 14 June 2025.
46. Ibid., §24.
47. See: https://kuria-birosag.hu/hu/sajto/kuria-elnokenek-valaszlevele-az-orszagos-biroi-tanacs-es-az-orszagos-birosagi-hivatal.
48. Magyar Nemzet, Íme, a bírói csoportvezető, akinek beosztottja elengedte a gyermekpornográfiával gyanúsított volt állami vezetőt, 20 March 2024.
49. Munkában a „hálózat" – újabb támadást indítottak Magyarország és a Kúria elnöke ellen.
50. https://hudoc.exec.coe.int/eng#%22fulltext%22:[%22baka%22],%22display%22:[2],%22execidentifier%22:[%22CM/Notes/1521/H46-15E%22],%22execdocumenttypecollection%22:[%22CEC%22]

respondents considered that high-level corruption cases were not being pursued sufficiently, and 75% believed that the only way to succeed in business in Hungary was to have political connections. In the 2024 edition of Transparency International's Corruption Perceptions Index, Hungary fell six places to 82nd.

57. The Hungarian authorities have been at odds with several international organisations, as well as civil society organisations on this issue. The implementation of recommendations from GRECO, the European Union conditionality mechanism and the OECD is unsatisfactory. Independent authorities in charge of anticorruption in Hungary face serious obstacles in carrying out their mandate.

58. Hungary has been a member of the GRECO since 1999, participating in all five evaluation rounds. The fourth and fifth rounds, which respectively focus on preventing corruption among parliamentarians, judges and prosecutors, and promoting integrity within central governments, are still ongoing. GRECO has found that most integrity and corruption prevention measures target low- and mid-level officials. The integrity framework applicable to top executive functions is weak: there is no code of conduct or ethical rules, lobbying rules do not apply to top executive functions and there are no rules regulating the misuse of public resources or post-employment restrictions. The asset declaration system relies on declarations filed by hand and verification is "grossly insufficient". The Hungarian authorities have not yet authorised the publication of the reports on compliance with the recommendations regarding prevention of corruption in top executive functions and in respect of members of parliament, judges and prosecutors. GRECO has requested additional implementation measures for 2025.

59. In the context of the conditionality mechanism initiated in April 2022 to safeguard the EU budget, Hungary committed to implementing 17 anti-corruption measures to address breaches of rule of law principles. However, in December 2022, the Council of the European Union concluded that the remedial measures adopted were significantly flawed and failed to adequately address the breaches of the rule of law and the risks they pose to the Union budget. Consequently, the Council decided to suspend 55% of the budgetary commitments, amounting to approximately €6.3 billion. The Council also prohibited the entry into financial commitments with public interest asset management foundations (KEKVA) for EU funds.[52] This suspension was conditional: by the end of 2024, Hungary had to implement reforms, particularly concerning anti-corruption and judicial independence in order to regain access to these funds. As Hungary failed to implement all the required reforms by the deadline, €1.04 billion of the suspended funds was permanently lost at the end of 2024. This is the first time an EU member State has experienced an irrevocable loss of funds under the conditionality mechanism. As of early 2025, the remaining €19 billion in EU funds remains frozen, pending further reforms. Should Hungary fail to meet the conditions by the end of 2025, it risks losing an additional €1 billion.

60. In December 2023, the OECD Working Group on Bribery decided to send a high-level mission to Budapest to discuss the Hungarian Government's failure to make tangible progress in implementing long-standing recommendations, some of which date back to 2012. These recommendations relate to the Hungarian Government's lack of understanding of foreign bribery risk exposure, the absence of a strategy for proactively detecting and investigating foreign bribery cases, insufficient time being allocated for investigative measures, and a lack of legal clarity regarding corporate responsibility for foreign bribery.[53] However, this mission was subsequently cancelled by the OECD after the Hungarian Government was unable to secure sufficient ministerial and senior official representation for the meeting. This was the first time a high-level OECD mission had ever been cancelled.

61. According to information disclosed in December 2024,[54] the Hungarian foreign intelligence agency, the Information Office, illegally wiretapped and followed European Anti-Fraud Office (OLAF) staff investigating in Hungary; special focus was given to those investigators who examined a case related to the son-in-law of Prime Minister Viktor Orbán. OLAF ultimately concluded that numerous irregularities had occurred in the attribution of EU tenders.

62. It follows from all these examples that there are significant concerns regarding the level of corruption in Hungary. This is compounded by the barriers to putting in place the necessary reforms, which raises questions about the commensurate political will to implement the necessary improvements in good faith. There are clear concerns relating to systemic irregularities and deficiencies in public procurement procedures;

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51. "Citizens' attitudes towards corruption in the EU in 2025", https://europa.eu/eurobarometer/api/deliverable/download/file?deliverableId=99822.
52. 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.
53. "OECD Working Group on Bribery cancels High-Level Mission to Hungary".
54. EU Investigators Probing Orbán's Son-in-Law Surveilled, Sparking Intelligence Agency Infighting.

the low level of competition in procurement; and the lack of prevention against conflicts of interests. Responsibility for fighting corruption is divided between too many fragmented bodies, such as the Anti-corruption Task Force, the State Audit Office, the Public Procurement Authority, the Competition Authority, the Integrity Authority, the prosecution service and the judiciary, which undermines their efficiency. Moreover, most of the State institutions that should act as democratic checks and balances in fighting corruption are headed by persons appointed by the ruling majority whose proactivity has been questioned.

63. At the request of the EU Commission, two independent bodies were recently created: the Integrity Authority and the Anti-Corruption Task Force.

64. The Integrity Authority is an autonomous public administration body that was established in November 2022. Its main mission is to prevent, detect and correct fraud, conflicts of interest, corruption and other irregularities, but only in the use of EU funds.

65. The Anti-Corruption Task Force was established in December 2022, it is composed of government representatives and civil society organisations and has an advisory and analytical role.

66. Unfortunately, both of these bodies are already facing crises and are unable to operate properly. In January 2025, a criminal investigation was opened against the President of the Integrity Authority, claiming that he had mismanaged funds, and the offices of the authority were raided by the police. The President of the Integrity Authority denied the alleged mismanagement and claimed the investigations were politically motivated. This situation is having a detrimental effect, potentially discouraging whistleblowers and is undermining the authority's ability to function independently. Regarding the Anti-Corruption Task Force, three CSOs refused to adopt the annual report in 2024, considering that it failed to provide an accurate depiction of Hungary's corruption problems and lacks sufficiently ambitious commitments. In 2025, no annual report was adopted.

67. The Hungarian authorities' apparent lack of commitment to fighting corruption is worrying, especially given the commitment to "pursue a relentless fight against corruption, including through prevention, and by holding accountable those exercising public power" set out in the Reykjavik Declaration. In its December 2022 decision, the Council of the European Union mentioned a "systemic inability, failure or unwillingness by the Hungarian authorities to prevent decisions that are in breach of the applicable law as regards public procurement and conflicts of interest, and thus to adequately tackle risks of corruption."

68. Rather than committing to seriously tackle corruption, the Hungarian authorities' policy seems to attack and destabilise institutions and organisations engaged in the fight against corruption. The two independent authorities created in 2022 are unable to function, and the civil society organisations that play a prominent role in fighting corruption in Hungary have been labelled as threats to the Hungarian sovereignty. According to official reports from the Sovereignty Protection Office, a constitutional body whose President was nominated by the Prime Minister: "The concepts of 'transparency' and 'anti-corruption' are ultimately not intended to promote fairness in public life or competition between market participants, but rather to enforce US economic and political interests."

69. In their comments, authorities indicated that following exchanges with the OECD Working Group on Bribery, the parliament extended the time limits for investigations, depending on the complexity and gravity of the case, broadened the possible criminal liability of legal entities for corruption offences and introduced a structured framework for settlements between the public prosecutor's office and the legal entities under investigation.

4. Respect for human rights

70. Since 2010, Hungary has witnessed a systematic erosion of pluralism, marked by government interventions affecting media freedom, increasing restrictions on independent NGOs, the transformation of academic and cultural institutions through public interest foundations, and the establishment of new mechanisms such as the Sovereignty Protection Office.

4.1. Media freedom

71. In 2010, the Fidesz-KDNP government, using its parliamentary supermajority, enacted new media laws that centralised regulatory oversight under the newly created Media Authority and its subsidiary, the Media Council. The President of the Media Authority – nominated by the Prime Minister for a nine-year term – also chairs the Media Council and appoints its senior management. The remaining Council members are selected by a two-thirds parliamentary vote, effectively ensuring Fidesz control. As a result, the long tenure of these

officials does not translate into institutional independence. Prior to the 2022 national elections, the early retirement of the Council's chairman allowed Prime Minister Orbán to nominate a new chair with a term extending until 2030.

72. The Media Council wields significant power over the media landscape, including control over the public service media fund (MTVA), licensing for TV and radio, and approval of media mergers. The absence of robust legal safeguards for independence of this Media Council has led to concerns about politically motivated, discriminatory decisions. Data from Mertek Media Monitor indicates that between 2018 and 2021, 75% of radio broadcasting tenders were awarded to stations aligned with Fidesz, highlighting the partisan use of regulatory powers to shape the media environment. An example is provided by the forced closure of Klubrádió, the last national radio station critical of the government. This action prompted the European Commission to initiate infringement proceedings against Hungary, referring the case to the Court of Justice of the EU. The Court has not yet given its final judgment, but the Advocate General concluded that Media Council's refusal to renew Klubrádió's licence was disproportionate, as was the exclusion of Klubrádió from the new tender, and that the Hungarian authorities failed to apply objective, transparent, non-discriminatory, and proportionate criteria.[55]

73. The concentration of media ownership is a threat to media pluralism. Since 2010, media ownership has become highly concentrated in the hands of the State and pro-government investors, resulting in a media landscape where nearly 80% of the market for political and public affairs news is financed by sources controlled by the ruling party.[56] The 2023 Media Pluralism Monitor and the European Commission's Rule of Law report both classify the risk to media pluralism in Hungary as "high" or "very high". The UN Special Rapporteur on freedom of expression has further highlighted the predominance of pro-government media outlets and the decline of independent or critical voices, attributing these trends to distortionary practices by successive Fidesz coalition governments. The government defends the existence of media pluralism by citing the few independent media outlets that exist, pointing out that some of these remain market leaders (though only just). However, the overall market picture shows that the government directly or indirectly controls the majority of the media, which far outweighs the reach of independent media. State advertising in the media is used to sustain pro-government media. The State is, by far, the most important actor in the media advertising market. State advertisement accounts for over 30 % of the total advertising market, and KESMA (Central European Press and Media Foundation, a conglomerate that brings together hundreds of national and local media) receives 75 % to 80 % of this total revenue. A recent trend shows a shift of the State advertisement expenses from written press towards social media, as evidenced during the European Parliament electoral campaign (see paragraph 25).

74. Media ownership translates in the editorial content. The political influence over the content of publications is clear. Public service media are widely regarded as operating under direct governmental oversight. Investigative reports and testimonies indicate that management routinely instructs staff to advance issues that are of the government interest, with some content reportedly authored or dictated by officials from the Prime Minister's Cabinet Office.[57]

75. According to an investigation by the European Parliament Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA), the Hungarian Government has used Pegasus spyware, which it purchased in 2017, to target journalists, politicians, and activists. In February 2023, a delegation of the PEGA Committee visited Hungary. It reached the conclusion that: "There is every indication that spyware had been grossly abused in Hungary and the authorities' explanation citing national security was deemed very unconvincing. Strong evidence indicates that people have been spied on with the objective of gaining even greater political and financial control over the public sphere and media market."[58]

4.2. Civil society

76. The Hungarian Government has taken several steps against independent civil society organisations, particularly those engaged in human rights, anti-corruption, and environmental advocacy. At the same time, it has greatly helped like-minded organisations to gather funds, often from public or semi-public sources.

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55. CJEU, press release n°42/25, 3 April 2025, "Advocate General's Opinion in Case C-92/23, Commission v Hungary".
56. International Press Institute, Analysis: "One year after election, media freedom in Hungary remains suffocated", 5 April 2023.
57. Centre for Media Pluralism and Media Freedom, "Monitoring media pluralism in the digital era, country report Hungary", June 2023.
58. Report of the investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware (2022/2077(INI)).

77. The Hungarian Government has taken increased control over the funding of civil society, gradually cutting access to independent funding while establishing State-controlled subsidies. Following a disagreement between the government and the donors over the management of the EEA/Norway grants, payments were stopped. The Hungarian Government set up its own fund (Urban Civic Fund) of €110 million. The list of grantees shows that NGOs receiving the largest amount of funding are closely affiliated with the governing party coalition. According to an independent investigation in 2021, only a third of the organisations that received the maximum amount of funding were found to have no clear political affiliation with Fidesz, and more than half of the NGOs that received the largest grants from the Municipal Civil Fund are organisations of Fidesz-KDNP politicians or candidates.[59]

78. The Civil Cooperation Forum (CÖF) is an organisation that consistently disseminates government-aligned messages through press releases, public statements, billboards, and social media. Their communications often mirror Fidesz' rhetoric, including themes such as national sovereignty, anti-migration, scepticism toward the European Union, and opposition to foreign influence, particularly that of George Soros[60]. CÖF frequently targets opposition parties, independent NGOs, and critical voices, labelling them as threats to national sovereignty or as agents of foreign influence. This organisation has received huge financial support from State-owned enterprises and Fidesz-affiliated foundations (receiving public financing).[61]

79. Another organisation supportive of the government is Megafon.hu, a Hungarian digital media platform and activist organisation established to amplify right-wing voices online and to counter what it describes as the dominance of the "liberal mainstream" on the internet. The platform openly encourages users to become "right-wing digital freedom fighters" and provides various resources, including training, mentoring and advertising, to influencers who spread the government's narratives on various social media platforms, mostly in the form of short videos.[62] Megafon.hu has overtaken the Hungarian Government and Fidesz party in spending on social media.[63] According to official data from Meta and Google, Megafon.hu has spent almost €2.2 million in political ads on social media for the 2024 EP campaign. More than half of the spending was used to promote videos spreading hostile narratives.[64] The source of Megafon's funding remains unclear, the organisation claims to be supported by right-wing businessmen and denies receiving public funds yet provides no transparency regarding its donors or the origin of its financial backing. For the year 2024, Megafon has reported an income of more than €14 million.[65]

80. In stark contrast, civil society organisations receiving money from foreign sources – including individuals, charities, and EU institutions – have been put under increasing pressure for an alleged lack of transparency. The UN Special Rapporteur on the situation of human rights defenders noted that human rights defenders in Hungary faced "enormous pressure due to public criticism, stigmatisation in the media, unwarranted inspections and a reduction in State funding", urging the government to widen and strengthen the space for civil society.[66] In 2017, a "transparency law" required NGOs receiving over approximately €23 000 annually to register as "foreign-funded organisations". These organisations had to publicly display this label and report donors contributing more than €1 400 per year. Non-compliance could result in fines and eventual dissolution of the NGO. In 2020, the Court of Justice of the European Union (CJEU) ruled that this law violated EU law, as it stigmatised civil society organisations and imposed unjustified restrictions on their operations. Another law was adopted in May 2021, requiring NGOs with annual balance sheets exceeding approximately €54 000 to undergo audits by the State Audit Office. These audits assess legal compliance and result in public reports whose findings cannot be challenged in court, even if unfounded. The law imposes significant administrative burdens on targeted NGOs and grants auditors access to all documents, including

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59. Organisations run by Fidesz politicians win Hungarian NGO grants set up to replace Norway NGO Grants.
60. For instance: The Soros Network's Plan to Topple Indian Prime Minister Narendra Modi Has Come to an Ugly End; LOBSEC and its "myths" – Does the Soros-close NGO that also signed the Bajnai conflict with our country's national goals?.
61. State-owned Hungarian energy group gave €1,7 million to NGO favored by Orban to "improve public thinking", 20 May 2018; State-owned lottery company gives €219 000 to NGO favored by the government, 27 March 2019; The Fidesz party foundation supports CÖF with an annual sum of nearly HUF 70 million, 19 June 2024.
62. https://megafon.hu/
63. Euractiv, 4 January 2022, Orban's influencers shower cash, become largest social media spenders.
64. The concept of 'hostile narratives' goes beyond disinformation and refers to the deliberate distortion of facts via narration

and manipulative storytelling; the exaggeration of existing fears and perceived threats; the portrayal of socio-political actors and opponents as enemies. See: Flore, M., Understanding Citizens' Vulnerabilities (II): From Disinformation to Hostile Narratives, Publications Office of the European Union, Luxembourg, 2020.
65. Telex.hu, 31 May 2025, Rekordösszegű, 5,8 milliárdos bevételből lett veszteséges tavaly a Megafon.
66. A/HRC/34/52/Add.2: "Report of the Special Rapporteur on the situation of human rights defenders on his mission to Hungary."

sensitive and privileged information. In addition, the regulation is considered discriminatory, as it exempts certain organisations – such as religious associations, minority groups, and trade unions – without adequate justification, despite their potential to influence public life.

81. In 2023, the total income of associations and foundations was €3.36 billion, from which 40% came from public funding, 22% from private sources, the rest originating from business and other income. Civil society organisations critical of government are not able to secure public funding and therefore rely entirely on international sources, such as the CERV program from the EU or the former Agency for International Development (USAID), and on crowdsourcing and private donors. Access to these funds is currently seriously threatened by governmental policy.

4.3. The Sovereignty Protection Office

82. The attempts to suppress independent civil society escalated to worrying degree in December 2023, with the adoption of the Sovereignty Protection Act (SPA). When the bill was tabled, we issued a statement warning that it contained "provisions with potentially very far-reaching consequences on the functioning of democratic institutions, human rights and the rule of law" and called on the Hungarian Government to submit this draft legislation to the Venice Commission.[67] The Commissioner for Human Rights stated that the bill posed a significant risk to human rights and should be abandoned.[68] The Monitoring Committee submitted the bill to the Venice Commission on 11 December 2023 but on the following day, notwithstanding the calls for careful assessment from all sides, the Hungarian Parliament passed the law. On 7 February 2024, the European Commission decided to open an infringement procedure against Hungary as the legislation could violate, *inter alia*, the principle of democracy and several fundamental rights such as the right to respect for private and family life, the right to protection of personal data, freedom of expression and information, freedom of association, the electoral rights of EU citizens, the right to an effective remedy and to a fair trial.

83. The Act introduced two main changes to the legal order of Hungary: it established a new Sovereignty Protection Office, and it amended electoral, criminal and other legislation in order to prohibit foreign funding of electoral campaigns. In its opinion issued in March 2024, the Venice Commission found that while foreign influence on electoral processes was cited in the preamble and justification, the scope of the Act was much wider as it covered "State and social decision-making processes" for which a justification based on electoral integrity did not apply.[69] Thus, the powers of the Sovereignty Protection Office extend beyond electoral campaigns to cover political activity in a broader sense and campaigns for social change. The legal analysis emphasised that: "the Act established a new body with extremely broad competences which can interfere with the privacy of any legal or natural entity and engage in naming and shaming of this entity without being subject to any control or review mechanism. Thus, rather than making 'the various electoral and social decision-making processes transparent', the Act risks having a chilling effect on the free and democratic discussion in the Hungarian society." The Venice Commission concluded that the establishment of the Sovereignty Protection Office and its mandate and competencies were at odds with international standards and that therefore those laws should be repealed.

84. Among its first publications, the SPO posted an opinion piece from the Washington Post published in 1991. The article explored how the collapse of the Soviet Union revealed a new era where traditional espionage and covert operations were less effective, emphasising the rise of open, public movements and information-driven change.[70] In the absence of any contextual information, one is left to guess the relevance of this article in 2025 in Hungary. Confirming Venice Commission concerns, the SPO engaged in naming and shaming civil society organisations critical to the authorities, with its first "inquiry reports" aimed at Transparency International Hungary,[71] Atlatszo[72] and Ökotars foundation. According to these reports: "the concepts of "transparency" and "anti-corruption" (…) are weapons of the enforcement of US economic and political interests".[73] The report asserted that Transparency international would cause political, economic and social damage to Hungary because the Corruption Perception Index is influencing the international perception

67. "Hungary should submit the bill on the 'defence of national sovereignty' to the Venice Commission, PACE monitors say", 27 November 2023.
68. "Hungary: The proposal for a "defence of national sovereignty" package should be abandoned", 27 November 2023.
69. "Opinion on act LXXXVIII of 2023 on the protection of national Sovereignty", CDL-AD(2024)001.
70. https://szuverenitasvedelmihivatal.hu/dokumentumok/Ignatius-cikk_1991_WaPo_en.pdf.
71. "The impact of Transparency International Hungary's activities on Hungarian sovereignty".
72. "The impact of Átlátszó's activities on Hungarian sovereignty".
73. The same sentence can be found in both reports, at para. 3 regarding Átlátszó and para. 4 regarding Transparency International Hungary.

of the countries. Átlátszó's public interest data requests were alleged to mask intelligence activities, in spite of dealing with public official data. Since the election of Donald Trump as President of the United States, the publications of the SPO have shifted their focus on European Union institutions[74] and Ukraine.

85. These reports, endorsed by an authority established by the Fundamental Law, promote a flawed conception of the role of civil society in our democracies. The European Court on Human Rights has on numerous occasions affirmed the direct relationship between democracy, pluralism and freedom of association. Indeed, the way in which national legislation enshrines this freedom and its practical application by the authorities reveal the state of democracy in the country concerned.

4.4. Transparency in public life

86. The attacks on civil society have stepped up since the beginning of 2025. On 17 January 2025, Viktor Orbán stated that "the most important foreign policy goal for 2025 is to push the Soros Empire out of Europe, to push them back to America", and that "[t]he time has come to speak clearly, to dismantle the foreign networks that threaten Hungarian sovereignty, and to send them home".

87. On 15 March 2025, he likened independent Hungarian civil society actors to "bugs": "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. They have been here too long. They have survived too much. They have received money from too many places. (…) We have had just about enough of them. (…) They wear the scarlet letter, their fate will be shame and contempt. If there is justice, and there is, there is a special place in Hell for them. We know you."[75]

88. On 1st of April 2025, a Fidesz MP submitted a bill amending the law on Hungarian citizenship. It proposes to suspend the citizenship of persons "whose continued Hungarian citizenship poses a threat to public order, public security or national security in Hungary". Specifically, the bill proposes to suspend the citizenship of a person who is "acting in the interests of a foreign power or a foreign organisation or is pursuing the aims of a foreign power or a foreign organisation in a manner incompatible with Hungarian citizenship". This bill was adopted on 11 June 2025.

89. On 13 May 2025, a Fidesz MP tabled a new bill before the Hungarian Parliament, on transparency in public life. The draft law would increase the powers of the Sovereignty Protection Office, potentially making it impossible for targeted civil society organizations and media outlets to carry on their activities. We immediately issued a statement underscoring that: "As proposed, the bill would make it impossible for civil society organisations and independent media outlets to operate, let alone exist. It constitutes an unjustified and disproportionate attack on the freedom of association and expression of Hungarian citizens. Adopting this bill would violate Hungary's international obligations with regard to human rights and fundamental freedoms."[76] On 4 June, on the eve of the vote on this bill, it was postponed until the return of parliament after the summer recess. At our request, the Monitoring Committee has requested an opinion to the Venice Commission on this bill.

4.5. Public interest foundations: impact on academic freedom and cultural institutions

90. As already mentioned, another significant development since 2021 has been the transformation of numerous higher education and cultural institutions into "public trust foundations" (KEKVA), controlled by boards dominated by government appointees. As a result, the Hungarian Government has abandoned public oversight over most higher education and cultural institutions in Hungary, while transferring its control to politically close board of trustees.

91. Due to unresolved concerns, on 15 December 2022, the Council of the European Union decided that no legal commitments shall be entered into with any public interest trust or any entity maintained by such a public interest trust. As a consequence, the European Commission excluded more than 30 Hungarian institutions – including 21 universities – from participating in key EU programmes like Horizon Europe and

74. "The European Commission's Cerv programme, This is how Brussels turned on the money tap to fund the Soros network", 29 January 2025, "The European Commission's latest sanctions plans against Russia were dictated from Ukraine" (in Hungarian only) 18 June 2025, "Brussels' war on national sovereignty" (in Hungarian only) 16 July 2025.
75. Speech by Prime Minister Viktor Orbán on the 177th anniversary of the Hungarian Revolution and War of Independence of 1848–49.
76. "The Hungarian draft law on 'transparency in public life' must not be adopted, say PACE monitors".

Erasmus+. The Commission linked the restoration of access to these programmes to Hungary's compliance with transparency and governance standards.[77] Although the Hungarian Government has proposed amendments to address some of the Commission's concerns (such as limiting board terms and banning certain political figures from boards), the Commission has indicated that these measures are still insufficient and do not fully meet EU expectations.

4.6. Freedom of assembly

92. On 18 March 2025, the Hungarian Parliament adopted in an emergency procedure an amendment to the Act LV of 2018 on the right to assembly. That amendment introduced a prohibition of any assembly which contravenes Section 6.A. of the Child Protection Act and effectively bans all public gatherings of LGBTI people or on matters related to them, including Pride marches.

93. The European Court of Human Rights has found, in a number of judgments, that banning or refusing to authorise public events for the promotion of the human rights and equality of LGBTI people was not necessary in a democratic society and was therefore contrary to Article 11 of the Convention. Rather, the Court has found that authorities must take positive measures to ensure that such demonstrations and gatherings can be held peacefully and that demonstrators are protected from violence.

94. The Act also authorises the use of facial recognition software to identify persons attending assemblies. In a decision on a similar use of facial technology against peaceful demonstrators by Russia, the Court held that the use of such technology in that context could have a chilling effect in relation to the rights to freedom of expression and assembly and was incompatible with the ideals and values of democratic society governed by the rule of law.[78]

95. The Budapest Pride, scheduled on 28 June 2025, was banned by the police on the basis of the recent amendment to the Act LV of 2018 on the right to assembly.[79] The mayor of Budapest opposed this decision and announced that the event would be held under local authorities' organisation. Eventually, the event took place and 200 000 people joined the march, exceeding by far the previous record turnout of 35 000 people.[80]

4.7. Compliance with the decisions of the European Court on Human Rights and other Council of Europe monitoring mechanisms

96. As of 2024, 76% of leading judgments of the European Court on Human Rights against Hungary from the last decade remain unimplemented, the highest percentage among the EU member States. This marks a deterioration from 72% in 2022. Only 52.6% of rulings are partially complied with, and 66% of pending cases have been unresolved for over two years.

97. Pending leading cases[81] concern crucial human rights issues, including unchecked secret surveillance, freedom of expression of judges, excessive length of judicial proceedings, whole life imprisonment, police ill-treatment, and discrimination of Roma children in education. In 2024, the execution of 14 decisions from the Court have been examined under the enhanced procedure by the Committee of Ministers of the Council of Europe. The Committee of Ministers found implementation insufficient in all of them and issued interim resolutions in two cases: in the *Gazsó v. Hungary* group of cases concerning excessive length of proceedings, and in the *László Magyarv. Hungary* group of cases concerning whole life imprisonment. The *Kenediv. Hungary* case, concerning the non-execution of freedom of information judgments, was transferred to the enhanced supervision procedure in December 2024.

98. The Commissioner for Human Rights asked the Hungarian parliamentarians to refrain from adopting the draft law on transparency of public life unless it is amended to comply with international human rights law, notably freedom of expression and association, the right to respect for private life, the right to a fair trial and the prohibition of discrimination.[82] He also called on the Hungarian parliamentarians to reconsider the

77. "Hungarian government amends law to reach agreement with the European Commission on Erasmus ban, Hungarian language version".
78. "Use of facial-recognition technology breached rights of Moscow underground Protestor".
79. Tiltó határozat | A Rendőrség hivatalos honlapja.
80. *Le Monde*, "Biggest-ever Budapest Pride defies Orban ban in Hungary", 28 June 2025.
81. "Leading cases" refer to cases which have been identified as disclosing a problem, in law and/or practice, at national level, often requiring the adoption by the State of new or additional general measures to prevent recurrence of similar violations.
82. www.coe.int/en/web/commissioner/-/commissioner-asks-hungary-s-parliament-not-to-adopt-law-that-stifles-civil-society.

amendment to the Law on the right to assembly, which effectively bans events like Pride marches.[83] The Committee on Equality and Non-Discrimination of the Assembly has requested an opinion of the Venice Commission on the fifteenth amendment to the Fundamental Law adopted by the Hungarian National Assembly on 14 April 2025, which allowed for such a ban.

99. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published in December 2024 the report on its periodic visit to Hungary, containing several recommendations regarding immigration issues, persons in police custody, prison and psychiatric establishments.[84]

100. In its report on Hungary (sixth monitoring cycle) published on 9 March 2023, the European Commission against Racism and Intolerance (ECRI) recommended that the authorities commission an independent review of the legislative measures adopted during the period of "state of danger", their impact on groups of concern to ECRI, including LGBTI persons, and their compliance with Council of Europe and other human rights standards in the fields of equality and non-discrimination. ECRI also recommended enhancing the capacity of law enforcement agencies to effectively identify and address racist and LGBTI-phobic hate speech and hate crime.[85]

5. Conclusions

101. Hungary has experienced a notable decline in the quality of democracy, rule of law, and the protection of human rights in recent years. The concentration of power in the hands of the same governing majority has been the result of the cumulative impact of successive constitutional and electoral reforms. The capacity of democratic institutions to provide oversight and ensure accountability has been weakened, while the politicisation of appointments and legislative procedures has undermined pluralism and transparency. With constitutional checks and balances weakened, judicial independence has been undermined and the capacity to combat corruption significantly weakened. At the same time, critical or independent voices in the media and civil society have been marginalised.

102. The Monitoring Committee acknowledges the willingness of Hungarian authorities to engage in dialogue and notes the limited steps taken to respond to Council of Europe recommendations. A genuine and sustained political commitment will be necessary to restore pluralism, the rule of law, and the full protection of fundamental rights in Hungary. Underlining the central importance of addressing the persistent concerns highlighted in this report relating to corruption and democratic backsliding, priority should be given to implementing recommendations from the Venice Commission and GRECO concerning electoral reforms, judicial appointments, anti-corruption measures, and upholding media and association freedoms. Continued close monitoring remains necessary, with the overarching goal of strengthening the foundations of democracy, rule of law, and human rights for all sectors of Hungarian society.

83. www.coe.int/en/web/commissioner/-/hungary-should-reconsider-the-law-on-assemblies-and-refrain-from-adopting-legislative-proposals-which-threaten-the-human-rights-of-lgbti-people.
84. www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-cpt-publishes-report-on-its-2023-periodic-visit-to-hungary-1.
85. https://rm.coe.int/ecri-conclusions-on-the-implementation-of-the-recommendations-in-respe/1680b1e956.