



ARTISTIC
FREEDOM
INITIATIVE

UNIVERSAL PERIODIC
REVIEW SUBMISSION
FOR HUNGARY

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ABOUT HRF

The Human Rights Foundation (HRF) is a nonpartisan nonprofit organization that promotes and protects human rights globally, with a focus on closed societies. HRF unites people in the common cause of defending human rights and promoting liberal democracy. Our mission is to ensure that freedom is both preserved and promoted around the world. We focus our work on the founding ideals of the human rights movement, those which are most purely enshrined in the 1948 Universal Declaration of Human Rights and the 1976 International Covenant on Civil and Political Rights (ICCPR).

ABOUT ARTISTIC FREEDOM INITIATIVE

Established in 2017, Artistic Freedom Initiative (AFI) provides pro bono immigration representation and resettlement assistance for international artists at risk. AFI directly provides legal and resettlement services to artists who have experienced persecution, censorship, or other restrictions on their freedom of expression, and supports artists committed to advancing social change and fundamental human rights. AFI works with artists to promote and protect cultural heritage, as well as champion art in exile, and partners with artists to improve protections for freedom of expression and advance policy changes in their home countries.

INTRODUCTION

This submission was prepared by HRF and AFI for the Universal Periodic Review (UPR) of Hungary. This submission evaluates Hungary's implementation of recommendations made during its previous UPR as it relates to the current human rights situation in the country, which is characterized by systematic violations of human rights, including the ongoing curtailment of the freedoms of assembly, association, and expression, as well as arbitrary arrests and detentions, and other violations of due process of the law.

FOLLOW UP ON THE PREVIOUS REVIEW

1. The most recent UPR of Hungary by the United Nations (UN) Human Rights Council took place on November 2, 2021, during the 49th Session of the UPR Working Group.¹ A total of 267 recommendations were made to Hungary, with the government accepting 121, noting 108, and rejecting 38.²
2. Hungary noted recommendations on the basis that they were already addressed in domestic law and required no further action.³ It rejected recommendations it considered incompatible with national policy, particularly those relating to gender, LGBTQI+ rights, and media regulation, which, as explained below, are areas where the government implemented new restrictive measures in violation of human rights during this review period.
3. Since the last review period, Hungary has taken a number of formal steps to address concerns related to the protection of the rule of law and judicial independence. Specifically, the government established new anti-corruption bodies, including an independent Integrity Authority⁴ and the Anti-Corruption Task Force.⁵ While these measures represent formal progress, they were introduced through accelerated legislative procedures that lacked transparency and meaningful stakeholder consultation,⁶ and the newly established bodies were widely regarded as institutionally weak: the Integrity Authority lacked independent power to bring prosecutions and remained dependent on

¹ U.N. Human Rights Council, *Working Grp. on the Universal Periodic Review of the Forty-Ninth Session, Report of the Working Group on the Universal Periodic Review: Hungary*, U.N. Doc. A/HRC/49/8 (Dec. 21, 2021), <https://docs.un.org/en/A/HRC/49/8>.

² U.N. Human Rights Council, *Working Grp. on the Universal Periodic Review, Report of the Working Group on the Universal Periodic Review: Hungary, Addendum*, U.N. Doc. A/HRC/49/8/Add.1 (Feb. 22, 2022), <https://docs.un.org/en/A/HRC/49/8/Add.1>.

³ *Id.*

⁴ European Commission, *Establishment of an Integrity Authority to Reinforce the Prevention, Detection and Correction of Fraud, Conflicts of Interest and Corruption Concerning the Implementation (2022)*, Reforms and Investments Portal, https://reforms-investments.ec.europa.eu/projects/establishment-integrity-authority-reinforce-prevention-detection-and-correction-fraud-conflicts_en

⁵ European Commission, *Establishment of an Anti-Corruption Task Force to Monitor and Review the Measures Taken by Hungary to Prevent, Detect, Prosecute and Sanction Corruption (2022)*, Reforms and Investments Portal, https://reforms-investments.ec.europa.eu/projects/establishment-anti-corruption-task-force-monitor-and-review-measures-taken-hungary-prevent-detect_en

⁶ Lydia Gall, "Hungary's Half-Promises Should Not Fool EU Commission: EU Should Hold Firm and Activate Conditionality Process," *Human Rights Watch* (Nov. 24, 2022), <https://www.hrw.org/news/2022/11/24/hungarys-half-promises-should-not-fool-eu-commission>.

the cooperation of existing state agencies, while the Anti-Corruption Task Force was assigned a largely consultative role.⁷

4. As a UN Member State, Hungary has committed to protecting, promoting, and respecting the individual rights and fundamental freedoms laid out in the major international instruments, including, *inter alia*:⁸ the International Covenant on Civil and Political Rights (ICCPR) (and its Second Optional Protocol aiming at the abolition of the death penalty); the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) (and its Optional Protocol); and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Hungary has yet to ratify certain instruments recommended in past reviews, such as the International Convention on the Protection of All Migrant Workers (CMW) and the International Convention for the Protection of All Persons from Enforced Disappearance. Despite its international obligations, Hungary's domestic actions since 2021 have frequently undermined these commitments.

HUNGARY'S NATIONAL FRAMEWORK FOR PROTECTING HUMAN RIGHTS

5. Hungary's 2011 Fundamental Law, which serves as the nation's constitution,⁹ entered into force in 2012 and has been amended multiple times (most recently in 2023). It formally enshrines within it the protection of fundamental human rights¹⁰ and requires Hungarian law to conform to international law, including generally recognized rules of international law and ratified treaties,¹¹ but despite these constitutional guarantees,

⁷ Hungarian Helsinki Committee, K-Monitor, and Transparency International Hungary, *The European Commission Should Be More Intransigent to Stop Systemic Corruption in Hungary: Civil Society on Hungary's Unfolding Anticorruption Package* (Nov. 17, 2022), https://helsinki.hu/en/wp-content/uploads/sites/2/2022/11/HU_17_measures_assessment_17112022.pdf.

⁸ U.N. Office of the High Commissioner for Human Rights, *View the Ratification Status by Country: Hungary*, U.N. Treaty Body Database, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=77&Lang=en.

⁹ The Fundamental Law of Hungary, <https://legislationline.org/sites/default/files/2025-02/the-fundamental-law-of-hungary.pdf>.

¹⁰ *Id.*, Article I.

¹¹ *Id.*, Article Q.

individuals in Hungary are routinely subjected to human rights violations, not least due to the existence of laws and practices that criminalize or improperly restrict fundamental freedoms, in contravention of the Constitution and Hungary's human rights obligations.

6. Regarding the protection of human life and dignity and the prohibition of torture, the Fundamental Law states in *Articles II and III*:¹²
Human dignity shall be inviolable. Every human being shall have the right to life and human dignity; [...]. No one shall be subjected to torture, inhuman or degrading treatment or punishment.
7. Regarding protection from arbitrary arrest and detention, *Article IV* states:
Everyone shall have the right to liberty and security of the person. No one shall be deprived of liberty except for reasons specified in an Act and in accordance with the procedure laid down in an Act.
8. Regarding the freedom of opinion and information, *Article VII* states:
Everyone shall have the right to freedom of thought, conscience, and religion. This right shall include the freedom to choose or change one's religion or belief, and to manifest or abstain from manifesting it, either individually or jointly with others, in public or private.
9. Regarding the right to assembly, *Article VIII* states:
Everyone shall have the right to peaceful assembly. Everyone shall have the right to establish and join organizations, including political parties and trade unions, on the basis of freedom of association.
10. Regarding the freedom of speech, *Article IX* states:
Everyone shall have the right to freedom of speech. Hungary shall recognize and protect the freedom and diversity of the press, and shall ensure the conditions for free dissemination of information necessary for the formation of democratic public opinion.

POLITICAL BACKGROUND

¹² The Fundamental Law uses parallel numbering systems to distinguish between different structural parts of the document: lettered articles (Articles A–U) for the Foundations of the State; Roman-numeral articles (Articles I–XXIX) for the catalogue of fundamental rights and obligations; and Arabic-numeral articles (Articles 1–55) for the organization *and* functioning of the State.

11. Hungary is a landlocked country in Central Europe,¹³ formally governed as a unitary multiparty republic with a unicameral parliament seated in Budapest.¹⁴
12. Following World War II, Hungary was forcibly incorporated into the Soviet sphere of influence. By 1949, it had become a one-party communist state in which remaining democratic institutions were abolished and political repression became systemic.¹⁵
13. The collapse of communism led to the establishment of the Third Hungarian Republic, marked by constitutional democracy, competitive elections, judicial independence, and a strong orientation toward Euro-Atlantic integration, with Hungary joining NATO in 1999 and the European Union in 2004.¹⁶
14. In 2010, Viktor Orbán and his Fidesz party won a two-thirds parliamentary supermajority, enabling unilateral constitutional revision.¹⁷ Backed by a parliamentary supermajority, Fidesz pushed through a new Constitution in 2011 without opposition support, alongside a series of laws that weakened checks and balances and cemented Fidesz loyalists in key institutions.¹⁸ It has gerrymandered electoral districts, reduced parliamentary seats, and instituted a single-round voting system, contributing to successive election victories in 2014, 2018, and 2022.¹⁹ In its assessment of Hungary's 2022 national elections, the Organization for Security and Co-operation in Europe (OSCE) observed that elections were "marred by the absence of a level playing field."²⁰

¹³ *Hungary*, Encyclopedia Britannica, <https://www.britannica.com/place/Hungary>.

¹⁴ *Id.*

¹⁵ *Hungary in the Soviet Orbit*, in *History of Hungary*, Encyclopedia Britannica, <https://www.britannica.com/topic/history-of-Hungary/Hungary-in-the-Soviet-orbit>.

¹⁶ A. G. Dayıođlu, *From Communism to Democracy: The Democratic Transition in Hungary*, 10 *Uluslararası Politika Arařtırmaları Dergisi* 218, 218–37 (2025).

¹⁷ Miklós Bánkúti, Gábor Halmai & Kim Lane Scheppele, *Hungary's Illiberal Turn: Disabling the Constitution*, 23 *J. Democracy* 138, 138–46 (2012).

¹⁸ Mateusz Gniazdowski & Andrzej Sadecki, *Constitution for a New Hungary – The Domestic and Regional Implications*, OSW Commentary (Aug. 7, 2011), <https://www.osw.waw.pl/en/publikacje/osw-commentary/2011-08-07/constitution-a-new-hungary-domestic-and-regional-implications>.

¹⁹ Tanács-Mandák, F., Horváth, A., *The "hacking" of a mixed electoral system: a case study of Hungary*, *Public Choice* 204, 75–99 (2025).

²⁰ OSCE Office for Democratic Institutions and Human Rights (ODIHR), *Hungary, Parliamentary Elections and Referendum, 3 April 2022: ODIHR Election Observation Mission Final Report* (Jul. 29, 2022), <https://odih.osce.org/sites/default/files/f/documents/2/6/523568.pdf>.

15. Orbán advanced a doctrine of “illiberal democracy,” depicting liberal constitutionalism as incompatible with national sovereignty, Christian identity, and popular will, while casting political opposition as illegitimate or foreign-influenced.²¹ After 2015, migration policy became a central mobilizing tool, reinforcing nationalist narratives and justifying expanded executive power.²² At the same time, the regime consolidated control over public and private media,²³ while constraining civil society and academic independence through legislation targeting NGOs and universities.²⁴
16. Public discontent with the regime’s democratic backsliding has periodically spilled into street demonstrations. Recent major protests have included mass rallies in Budapest against a proposed internet tax (2014),²⁵ against the crackdown on academic freedom and NGOs (2017-2018²⁶ and 2021²⁷), and against education policy and low teacher pay (2022).²⁸ The regime often responds by tightening restrictions.

FREEDOM OF ASSEMBLY AND ASSOCIATION

²¹ Marc F. Plattner, *Illiberal Democracy and the Struggle on the Right*, 30 *J. Democracy* 5, 5–19 (2019).

²² Lydia Gall, *Hungary’s War on Refugees*, *Hum. Rts. Watch* (Sept. 16, 2016), <https://www.hrw.org/news/2016/09/16/hungarys-war-refugees>; see also Boldizsár Nagy, *From Reluctance to Total Denial: Asylum Policy in Hungary 2015–2018*, in *The New Asylum and Transit Countries in Europe During and in the Aftermath of the 2015/2016 Crisis* 17, 17–65 (Veit Heinelt et al. eds., Brill 2018).

²³ *Hungary: News Media Outlets and Owners*, Media Ownership Europe (2023 edition), <https://media-ownership.eu/2023-edition/findings/countries/hungary>.

²⁴ Anna Frenyó, *We Will Stay and Fight: Interview with Júlia Iván, Director of Amnesty International Hungary*, Heinrich-Böll-Stiftung (June 23, 2017), <https://www.boell.de/en/2017/06/23/we-will-stay-and-fight>.

²⁵ Eyder Peralta, *Close to 100,000 Hungarian Demonstrators Protest Internet Usage Tax*, NPR (Oct. 29, 2014), <https://www.npr.org/sections/thetwo-way/2014/10/29/359893123/close-to-100-000-protesters-turn-out-to-protest-internet-usage-tax>.

²⁶ Lydia Gall, *Mass Protests Fail to Curb Hungary’s Crackdown: President Signs Law Threatening Future of Central European University (CEU) Despite Outrage*, *Hum. Rts. Watch* (Apr. 11, 2017), <https://www.hrw.org/news/2017/04/11/mass-protests-fail-curb-hungarys-crackdown>.

²⁷ Deutsche Welle, *Thousands March through Budapest for Academic Freedom* (Oct. 23, 2020), <https://www.dw.com/en/hungary-thousands-march-through-budapest-demanding-academic-freedom/a-55380527>.

²⁸ David Baer, *Education Protests in Hungary Rock the Orbán Government: Civil Disobedience and Demonstrations by Teachers Are Creating Difficulties for Viktor Orbán—but Can They Be Sustained?*, *The Bulwark* (Nov. 1, 2022), <https://www.thebulwark.com/p/education-protests-in-hungary-rock-the-orban-government>.

17. The Hungarian regime has increasingly relied on prolonged and repeatedly extended “state of danger” emergency regimes to bypass ordinary legislative procedures and suppress freedom of assembly.²⁹ A “state of danger” was first declared on March 11, 2020, in response to the COVID-19 pandemic,³⁰ and has been renewed through successive authorization acts in six-month intervals,³¹ often in the absence of an individualized justification.
18. The “state of danger” has enabled the regime to enact emergency decrees, which have created long-term policy changes that restrict freedom of assembly. Notably, under these decrees, later incorporated in Act LVIII of 2020, all public assemblies and demonstrations were banned, and criminal and administrative sanctions imposed on participants.³² For example, police checked documentation and confronted demonstrators at a Budapest rally against the COVID-19 lockdown on January 31, 2021.³³
19. The regime has adopted additional *ad hoc* legislative measures restricting freedom of assembly. In 2025, Hungary’s Parliament adopted, under an accelerated procedure and without meaningful consultation, Act III of 2025, amending Act LV of 2018 on the right of assembly³⁴ (later reinforced by a constitutional amendment³⁵), prohibiting Pride marches and any public assemblies deemed to violate Hungary’s anti-LGBTQI+ “child protection” or “propaganda” laws (see below). Sanctions include administrative fines of

²⁹ International Commission of Jurists, *A Facade of Legality: COVID-19 and the Exploitation of Emergency Powers in Hungary* (Feb. 2022), <https://www.icj.org/wp-content/uploads/2022/02/Hungary-A-Facade-of-Legality-legal-briefing-2022-ENG.pdf>.

³⁰ Fruzsina Gárdos-Orosz, Sára Hungler & Lilla Rác, *Hungary: Legal Response to Covid-19*, in *The Oxford Compendium of National Legal Responses to Covid-19* (Oct. 2023), <https://oxcon.oup.com/display/10.1093/law-occ19/law-occ19-e40>.

³¹ Társaság a Szabadságjogokért (HCLU), *The State of Danger Would Be Extended Again – With a One-Sentence Justification* (Oct. 17, 2023, updated Nov. 14, 2023), <https://tasz.hu/en/cikkek/the-state-of-danger-would-be-extended-again-with-a-one-sentence-justification>.

³² *Supra* note 30, Fruzsina Gárdos-Orosz, Sára Hungler & Lilla Rác.

³³ RFE/RL’s Hungarian Service, *Hungarians Protest Against Lockdown Measures, Despite Ban on Gatherings*, RFE/RL (Jan. 31, 2021), <https://www.rferl.org/a/hungarians-protest-covid-lockdown-measures-despite-ban-gatherings/31078966.html>.

³⁴ Amnesty International, *Hungary: Let Pride March Freely* (Apr. 16, 2025), <https://www.amnesty.org/en/documents/eur27/9273/2025/en/>.

³⁵ Justin Spike, *Hungary Passes Constitutional Amendment to Ban LGBTQ+ Public Events*, PBS NewsHour (Apr. 14, 2025), <https://www.pbs.org/newshour/world/hungary-passes-constitutional-amendment-to-ban-lgbtq-public-events>.

up to 200,000 HUF (approx. USD 610) for participants, criminal liability for organizers under the Criminal Code with penalties of up to one year of imprisonment, and the imposition of surveillance measures that significantly intrude on privacy.³⁶ Under this law, the Hungarian regime treated the October 2025 Pécs Pride march as a “prohibited assembly” and relied on the resulting ban to target its principal organizer, Géza Buzás-Hábel, summoning him for police interrogation.³⁷ The case has been referred to the prosecutor’s office with a recommendation to bring criminal charges for organizing and calling participation in a banned assembly, constituting a clear violation of the right to freedom of peaceful assembly.³⁸

20. Hungary has adopted additional legislation restricting freedom of association. Following the Court of Justice of the European Union’s 2020 ruling that Hungary’s 2017 “foreign-funded organizations” law violated EU law,³⁹ Parliament repealed that scheme but simultaneously enacted Act XLIX,⁴⁰ which subjects civil society organizations whose annual balance sheet total reaches HUF 20 million (approx. USD 56,000–60,000) to State Audit Office “lawfulness” audits.⁴¹ In addition, the regime has pursued broader restrictions through a draft “Transparency of Public Life” law, which empowers the state to blacklist organizations allegedly “influencing public life” with foreign support.⁴²

21. Alongside such laws, regime officials and pro-government media regularly amplify negative rhetoric, portraying independent NGOs as agents of foreign interference: Reporters Without Borders and other prominent local NGOs have been maligned in regime-aligned outlets such as *Mandiner*, which have labelled them “agents” and, without evidence, alleged that they are funded by individuals such as George Soros or institutions

³⁶ Human Rights Watch, *Hungary Bans LGBT Pride Events: EU Commission Should Take Legal Action to Protect Rights to Free Assembly, Expression* (Mar. 20, 2025), <https://www.hrw.org/news/2025/03/20/hungary-bans-lgbt-pride-events>.

³⁷ Amnesty International, *Hungary: Pécs Pride Organiser at Risk of Prosecution: Géza Buzás-Hábel* (Nov. 18, 2025), <https://www.amnesty.org/en/documents/eur27/0495/2025/en/>

³⁸ Ashifa Kassam, *Teacher in Hungary Facing Criminal Charges for Organising Pride Event*, *The Guardian* (Dec. 10, 2025), <https://www.theguardian.com/world/2025/dec/10/teacher-hungary-facing-criminal-charges-pride-event>.

³⁹ Amnesty International, *Hungary: Landmark Judgment Rejects Stigmatization of NGOs* (June 18, 2020), <https://www.amnesty.org/en/latest/news/2020/06/hungary-landmark-judgment-rejects-stigmatization-of-ngos/>.

⁴⁰ Hungarian Helsinki Committee, *Information Note on LexNGO 2021* (May 2022), available at: https://helsinki.hu/en/wp-content/uploads/sites/2/2022/05/HHC_LexNGO2021_info_note.pdf.

⁴¹ *Id.*

⁴² European Center for Not-for-Profit Law (ECNL), *Alert: The Hungarian Draft Law on Transparency of Public Life and Philanthropy* (May 15 2025), <https://ecnl.org/news/alert-hungarian-draft-law-transparency-public-life>.

like the Central Intelligence Agency.⁴³ This orchestrated stigmatization, combined with burdensome reporting and oversight requirements, exerts a chilling effect on freedom of association and seeks to delegitimize voices that challenge the regime's repressive policies.

FREEDOM OF EXPRESSION

22. The media landscape has been reshaped through a sustained process of state capture and punitive regulation that began in 2018, when hundreds of private outlets were consolidated into the pro-government media foundation KESMA.⁴⁴ Since then, public service broadcasters have effectively become organs of regime propaganda, while independent outlets have faced coordinated efforts to marginalize them, force their closure, or bring them under direct control.
23. In 2021, Hungary's Media Council, composed entirely of Fidesz appointees, refused to renew the independent outlet Klubrádió's FM licence on pretextual administrative grounds, a decision widely condemned as politically motivated.⁴⁵ This decision resulted in the removal of the country's last major independent radio broadcaster from the airwaves.⁴⁶ In 2022, the European Commission referred Hungary to the Court of Justice of the EU, finding that the refusal was based on questionable grounds.⁴⁷ The vacated FM frequency was awarded to a media group close to the regime, Spirit FM.⁴⁸ That same

⁴³ Association of European Journalists (AEJ), *Hungary Smear Campaigns Prompt Media Protests*, by Catalin-Teodor Dogaru, 1 July 2025, <https://aej.org/hungary-smear-campaigns-prompt-media-protests/>.

⁴⁴ Patrick Kingsley, *Orban and His Allies Cement Control of Hungary's News Media*, The New York Times (Nov. 29, 2018), <https://www.nytimes.com/2018/11/29/world/europe/hungary-orban-media.html>.

⁴⁵ Reporters Without Borders (RSF), *Hungary's Leading Independent Radio Station Taken off the Air* (Feb. 10, 2021), <https://rsf.org/en/hungary-s-leading-independent-radio-station-taken-air>.

⁴⁶ Previous independent outlets have likewise been shut down or taken over: e.g. the print *Népszabadság* closed in 2016, and the influential news site *Index.hu* was wrested from its staff in 2020, staff resigning en masse. See Lydia Gall, *Hungary Forces Klubradio Off Air*, Human Rights Watch (Feb. 10, 2021), <https://www.hrw.org/news/2021/02/10/hungary-forces-klubradio-air>.

⁴⁷ Reporters Without Borders (RSF) et al., *Hungary: Media Freedom Groups Welcome EU Court Referral over Klubrádió Frequency* (July 19, 2022), <https://rsf.org/en/hungary-media-freedom-groups-welcome-eu-court-referral-over-klubr%C3%A1di%C3%B3-frequency>.

⁴⁸ Emma Beswick & AFP, *Klubrádió: Frequency of Hungarian Independent Radio to Be Taken Over by Group Close to Orbán*, Euronews (Apr. 11, 2021), <https://www.euronews.com/2021/04/11/klubradio-frequency-of-hungarian-independent-radio-to-be-taken-over-by-group-close-to-orba>.

year, OSCE election monitors concluded that the overwhelming dominance of pro-regime media across the state severely undermined voters' access to impartial information.⁴⁹

24. Moreover, journalists and outlets critical of the government face ongoing harassment and economic pressure. In 2021, the Hungarian regime deployed Pegasus spyware to surveil investigative journalists, lawyers, and civil society figures.⁵⁰ For example, forensic analyses by Amnesty International and Citizen Lab at the University of Toronto in Canada confirmed that two phones belonging to Dániel Németh, a journalist documenting corruption within the regime, were successfully infected with Pegasus between July 1 and 9, 2021, and July 5 and 9, 2021.⁵¹ Similarly, the phones of Zoltán Páva, an opposition news publisher, were reportedly surveilled in March and May 2021.⁵² The European Parliament has also condemned the use of spyware to target investigative journalists in Hungary.⁵³

25. Moreover, independent outlets report being “systematically excluded from state advertising budgets.”⁵⁴ In 2025, independent outlet Magyar Hang (Hungarian Voice) filed an EU state-aid complaint, showing that since 2015, about €1.1 billion (approx. USD 1.2 billion) in government ad spending was channeled to Fidesz-aligned media, distorting the market.⁵⁵

⁴⁹ *Supra* note 20, OSCE.

⁵⁰ Phineas Rueckert, *Pegasus: The New Global Weapon for Silencing Journalists*, Forbidden Stories (July 18, 2021), <https://forbiddenstories.org/pegasus-the-new-global-weapon-for-silencing-journalists>.

⁵¹ Szabolcs Panyi and András Pethő, *He Has Been Uncovering the Lavish Lifestyle of Viktor Orbán's Circles. This Summer, He Was Surveilled with Pegasus Spyware*, Direkt36 (Sept. 21, 2021), <https://www.direkt36.hu/en/a-ner-elit-luxusutazasai-utan-evkek-ota-nyomozo-fotos-ujsgairot-is-megfigyeltek-a-pegasus-kemszoftverrel/>.

⁵² András Pethő, *Hungarian Opposition Publisher Was Surveilled with Pegasus in Spring 2021*, Direkt36 (Sept. 8, 2021), <https://www.direkt36.hu/en/hungarian-opposition-publisher-was-surveilled-with-pegasus-in-spring-2021/>.

⁵³ European Parliament, *Spyware: MEPs Sound Alarm on Threat to Democracy and Demand Reforms*, Press Release, PEGA Committee, May 8, 2023, <https://www.europarl.europa.eu/news/en/press-room/20230505IPR84901/spyware-meeps-sound-alarm-on-threat-to-democracy-and-demand-reforms>.

⁵⁴ ARTICLE 19 Europe et al., *Hungary: Foreign Funding Bill Poses Worst Threat to Independent Media in Years*, Media Freedom Rapid Response Statement (Jun. 4, 2025), <https://www.article19.org/resources/hungary-foreign-funding-bill-poses-worst-threat-to-independent-media-in-years/>.

⁵⁵ Alhambra Press Kft., *Statement: Alhambra Press, Jointly with Another Hungarian Media Company, Files a State Aid Complaint Against Hungary*, Magyar Hang (Apr. 28, 2025), <https://hang.hu/info/statement-175565>

26. Regime-aligned media routinely label independent reporters as political activists or traitors, conducting smear campaigns against them. For example, in January 2023, investigative news site Átlátszó and its editor-in-chief, Tamás Bodoky, were attacked in pro-Fidesz papers as “national traitors.”⁵⁶ In 2024, pro-regime outlets coordinated a smear of independent portal 444.hu and its new Eastern Frontier journalism consortium as waging “information warfare” against Hungary.⁵⁷ Such scaremongering tactics have had a chilling effect on free expression, leading to self-censorship.
27. Another flashpoint for restrictions on freedom of expression in Hungary has been artistic and media content related to LGBTQI+ themes. In 2021, Hungary adopted the vaguely-worded and overbroad Act LXXIX, often referred to as the “child protection” or “propaganda” amendments, which states that minors may not have access to materials that “depict or propagate divergence from self-identity corresponding to sex at birth, sex change or homosexuality.”⁵⁸
28. The implementation of this law has had a particularly significant impact on Hungary’s arts and cultural community, including artists, publishers, booksellers, and cultural institutions, who report that it has limited their artistic freedom.⁵⁹ Because the law does not clearly define what constitutes prohibited “depictions,” many actors in the cultural sector have engaged in heightened self-censorship. This chilling effect has constrained artistic freedom and reduced the diversity of cultural expression, as creators and institutions avoid material that could attract scrutiny from the government or lead to financial penalties.⁶⁰ For example, in July 2023, Hungary’s regime fined Líra, one of the country’s largest bookstore chains, HUF 12 million (approx. USD 36,000) for displaying

⁵⁶ *Hungarian Investigative Newsroom Átlátszó Targeted in Pro-Government Smear Campaign* by International Press Institute, Global Investigative Journalism Network (Feb. 2, 2023), <https://gijn.org/stories/hungarian-investigative-newsroom-atlatszo-targeted-in-pro-government-smear-campaign/>.

⁵⁷ *Hungary: Smear Campaign Against Media Intensifies Threats to Press Freedom*, European Centre for Press and Media Freedom (ECPMF) (Aug. 16, 2024), <https://www.ecpmf.eu/hungary-smear-campaign-against-media-intensifies-threats-to-press-freedom/>.

⁵⁸ Hungary, *Act LXXIX of 2021 on Taking More Severe Action Against Paedophile Offenders and Amending Certain Acts for the Protection of Children*, Budapest: National Assembly of Hungary (2021).

⁵⁹ Artistic Freedom Initiative, *Systematic Suppression: Hungary’s Arts & Culture in Crisis*, New York: Artistic Freedom Initiative (2022), <https://artisticfreedominitiative.org/wp-content/uploads/2022/03/Artistic-Freedom-Monitor-Hungary-Systematic-Suppression.pdf>.

⁶⁰ *Id.*

the LGBTQI+ graphic novel *Heartstopper* in its youth section without sealed packaging.⁶¹

29. Media organizations have also altered their practices to avoid potential violations of Act LXXIX. Major broadcasters, including RTL Klub, altered scheduling and content classification for films and adverts involving LGBTQI+ themes out of fear of breaching the law.⁶² In 2023, Hungary's media authority also ruled that a short, animated commercial produced by Budapest Pride, which depicted two women meeting and touching foreheads, was unsuitable for viewers under the age of 18.⁶³ The advertisement was restricted to broadcast between 22:00 and 05:00, effectively limiting its visibility to late-night hours.⁶⁴ This ruling, coupled with the Act III of 2025 addressed above, severely restricts LGBTQI-related freedom of expression.

30. Hungary has also increasingly centralized control over the governance and funding of cultural institutions, raising concerns about the independence of the arts sector. The government has transferred oversight of cultural institutions to foundations led by government-appointed boards⁶⁵ and expanded the influence of the state-funded Hungarian Academy of Arts.⁶⁶ At the same time, reforms to cultural funding have increased government influence over funding allocations and leadership appointments at publicly supported institutions.⁶⁷ These changes raise concerns that access to public

⁶¹ Krisztina Than, "Hungary Fines Bookstore for Sale of LGBT-Themed 'Heartstopper' without Wrapping," Reuters (July 13, 2023), <https://www.reuters.com/world/europe/hungary-fines-bookstore-sale-lgbt-themed-heartstopper-without-wrapping-2023-07-13/>.

⁶² Amnesty International, *Hungary: From Freedom to Censorship: The Consequences of the Hungarian Propaganda Law*, London: Amnesty International (2024), <https://www.amnesty.org/ar/documents/eur27/7754/2024/en/>.

⁶³ Justin Spike, *Thousands March at Budapest Pride as LGBTQ+ Community Voices Anxiety over Hungary's Restrictive Laws*, AP News (Jul. 15, 2023), <https://apnews.com/article/hungary-budapest-pride-lgbtq-government-restrictions-8890718c578a9d290f3c560fa99a7b25>.

⁶⁴ Justin Spike, *Thousands March at Budapest Pride as LGBTQ+ Community Voices Anxiety over Hungary's Restrictive Laws*, AP News (Jul. 15, 2023), <https://apnews.com/article/hungary-budapest-pride-lgbtq-government-restrictions-8890718c578a9d290f3c560fa99a7b25>.

⁶⁵ Natalie Colarossi, *Hungary's Ruling Party Accused of Making 'Parallel State' to Control Public Life*, Newsweek (Apr. 27, 2021), <https://www.newsweek.com/hungarys-ruling-party-accused-making-parallel-state-control-public-life-1586813>.

⁶⁶ European Alliance of Academies, *Complaint to the UN Special Rapporteur in the Field of Cultural Rights: Freedom of Art and Autonomy of Cultural Institutions in Hungary*, Berlin: European Alliance of Academies (2021), https://allianceofacademies.eu/wp-content/uploads/Complaint_UNSR_European-Alliance-of-Academies.pdf.

⁶⁷ *Supra* note 65, Artistic Freedom Initiative.

funding and institutional support depend on alignment with government priorities, thereby contributing to political pressure and self-censorship within Hungary’s arts and cultural community and disadvantaging artists based on the views expressed in their work.⁶⁸

ARBITRARY ARRESTS, DETENTION AND VIOLATIONS OF DUE PROCESS

31. During the reporting period, the independence of key justice institutions has been further eroded: the ruling party’s two-thirds majority has been used to stack the Constitutional Court and other judicial bodies with loyalists over the years. In 2021, a close associate of the ruling party was appointed as President of the Kuria (Supreme Court) through a process that reportedly violated lawful appointment procedures.⁶⁹ As a result, judicial oversight and international accountability are weakened, enabling impunity and the spread of police violence.⁷⁰
32. For example, in 2023, during anti-regime protests where protesters opposed sweeping education reforms (the so-called “Status” or “Revenge” Law) and were demonstrating peacefully, police used excessive force against demonstrators and dispersed the crowd with tear gas.⁷¹ Later, police declared the assembly illegal and again resorted to tear gas, detaining at least five people.⁷² Detainees were arrested for allegedly “inciting violence against an officer of the law,” although observers noted they had merely dismantled barricades, not attacked officers.⁷³ Those detained were only briefly held.

⁶⁸ UN Special Rapporteur in the field of cultural rights, *The Right to Freedom of Artistic Expression and Creativity*, A/HRC/23/34 (2013), ¶¶. 23–27, <https://docs.un.org/A/HRC/23/34>.

⁶⁹ Federal Judicial Center, *Hungary – Country Profile*, *Judiciaries Worldwide* (n.d.), <https://judiciariesworldwide.fjc.gov/country-profile/hungary>.

⁷⁰ *Id.*

⁷¹ *Students Tear-Gassed, Prosecuted for Protesting Education Law*, CIVICUS Monitor (Aug. 4, 2023), <https://monitor.civicus.org/explore/students-tear-gassed-prosecuted-for-protesting-education-law/>.

⁷² *Id.*

⁷³ *Id.*

RIGHTS OF IMMIGRANTS, REFUGEES, AND DUAL NATIONALS

33. Hungary's migration and asylum policies raise serious human rights concerns, particularly with regard to access to asylum procedures and the treatment of migrants and refugees. Since 2015, Hungary has maintained a "state of crisis due to mass migration," which allows the regime to apply exceptional rules to third-country nationals entering or staying in the country and has enabled the continued use of expedited border procedures and pushbacks.⁷⁴ Under this framework, police have been authorized to forcibly return migrants and asylum seekers to the Serbian border fence without formal procedures or the opportunity to submit an asylum claim, thereby violating the international refugee law and the right to seek asylum.⁷⁵ In 2024, the Court of Justice of the European Union imposed a €200 million fine (approx. USD 232.1 million) on Hungary and a daily penalty of €1 million (approx. USD 1.1 million) for failing to comply with EU asylum rules and for restricting access to international protection, describing the violations as an "exceptionally serious breach of EU law."⁷⁶
34. Hungary has also implemented measures aimed at discouraging or restricting asylum applications, including rules requiring individuals seeking protection to submit applications at Hungarian embassies abroad, rather than at the border or within the country.⁷⁷ As a result of these policies, the number of registered asylum applications in Hungary has dropped dramatically, with only a small number accepted in recent years.⁷⁸

⁷⁴ Human Rights Watch. "Hungary: Migrants Abused at the Border." July 13, 2016. <https://www.hrw.org/news/2016/07/13/hungary-migrants-abused-border>.

⁷⁵ Hungarian Helsinki Committee, "Overview of the Main Changes Since the Previous Report Update," in Asylum Information Database: Country Report—Hungary, European Council on Refugees and Exiles (ECRE), last updated June 10, 2025, <https://asylumineurope.org/reports/country/hungary/overview-main-changes-previous-report-update/>.

⁷⁶ Andrea Horváth Kávai, "European Court of Justice Imposes €200 Million Fine on Hungary for Failing to Comply with EU Asylum Rules," Telex, June 13, 2024, <https://telex.hu/english/2024/06/13/european-court-of-justice-imposes-eur200-million-fine-on-hungary-for-failing-to-comply-with-eu-asylum-rules>.

⁷⁷ Jean-Baptiste Chastand, "In Hungary, a Decade of Dismantling Asylum Rights," Le Monde, July 2, 2025, https://www.lemonde.fr/en/opinion/article/2025/07/02/in-hungary-a-decade-of-dismantling-asylum-rights_6742928_23.html.

⁷⁸ International Organization for Migration (IOM), "The European Migration Crisis and Hungary," IOM Hungary, accessed March 9, 2026, <https://hungary.iom.int/european-migration-crisis-and-hungary>.

Such restrictions, combined with political rhetoric portraying migrants as security threats,⁷⁹ contribute to discrimination and stigmatization of migrants, asylum seekers, and refugees, and undermine Hungary’s obligations under international refugee and human rights law.

35. In 2025, Hungary adopted a constitutional amendment and related legislation — Act XLIX of 2025 on the Suspension of Hungarian Citizenship — allowing the government to suspend the Hungarian citizenship of dual nationals for up to ten years in certain circumstances.⁸⁰ The measure applies only to individuals who hold Hungarian citizenship and citizenship in a non-EU or non-European Economic Area country.⁸¹ Under the law, citizenship may be suspended if the government determines that an individual poses a threat to public order, national security, or Hungary’s sovereignty, including for activities such as acting in the interests of a foreign power.⁸² During the suspension period, individuals may lose key rights associated with citizenship, including voting rights, participation in public life, and protections related to residence and freedom of movement in Hungary and the EU, contrary to international human rights standards.⁸³
36. Moreover, during 2022 alone, the Hungarian regime carried out over 150,000 pushbacks of migrants.⁸⁴ Observers have documented that these pushbacks are often accompanied

⁷⁹ See Viktor Orbán, *Prime Minister Viktor Orbán’s Presentation at the 26th Báloányos Summer Open University and Student Camp*, speech, Tusnádfürdő (Băile Tușnad) (July 25, 2015), <https://2015-2019.kormany.hu/en/the-prime-minister/the-prime-minister-s-speeches/prime-minister-viktor-orban-s-presentation-at-the-26th-balvanyos-summer-open-university-and-student-camp> (“[i]n summary therefore, Ladies and Gentlemen, we can say that illegal immigration is equally a threat to Hungary and to Europe. It is a threat to our common values and to our culture, and even to our diversity. It is a threat to the security of European people – a threat which undermines our ability to cement our economic achievements”).

⁸⁰ Galicz, *The Hungarian Procedure of Citizenship Suspension: The Devil Is in the Details*, Globalcit (Jul. 31, 2025), <https://globalcit.eu/the-hungarian-procedure-of-citizenship-suspension-the-devil-is-in-the-details/>.

⁸¹ Kamilla Galicz, *The Hungarian Procedure of Citizenship Suspension: The Devil Is in the Details*, Global Citizenship Observatory (Jul. 31, 2025), <https://globalcit.eu/the-hungarian-procedure-of-citizenship-suspension-the-devil-is-in-the-details/>.

⁸² *Id.*

⁸³ Human Rights Watch, *Hungary: Fundamental Law Changes Attack Rule of Law, Rights*, (Apr. 17, 2025), <https://www.hrw.org/news/2025/04/17/hungary-fundamental-law-changes-attack-rule-law-rights>; see also Gábor Mészáros, *Another Thread in the Spider Web: Hungary’s Suspension of Citizenship*, *Verfassungsblog* (May 30, 2025), <https://verfassungsblog.de/another-thread-in-the-spider-web-citizenship-hungary-elections/>.

⁸⁴ Hungarian Helsinki Committee, *Hungary: Country Report – Access to the Territory and Pushbacks*, Asylum Information Database (AIDA), ECRE (Jun. 10, 2025), <https://asylumineurope.org/reports/country/hungary/access-territory-and-pushbacks/>.

by violence on the border with Serbia.⁸⁵ Migrants, including those seeking asylum, have reported being beaten with batons, kicked, set upon by police dogs, or subjected to degrading treatment by Hungarian border guards before being dumped at the border fence.⁸⁶ UN human rights experts have repeatedly condemned Hungary’s pushbacks as a violation of the prohibition of collective expulsion and have heightened the risk of further human rights violations.⁸⁷

RECOMMENDATIONS

HRF and AFI call on Hungary’s government to:

- a. Protect, respect, and promote, without reservation, the rights of all individuals to freedom of peaceful assembly, association, and expression, and ensure that activists, journalists, teachers, students, LGBTQI+ persons, and opposition groups can operate safely and without fear of retaliation;
- b. End the abusive use of “state of danger” regimes and other accelerated procedures to bypass ordinary democratic processes and:
 - i. Repeal or substantially amend all emergency decrees and laws that unduly restrict public assemblies, including blanket bans on demonstrations;
 - ii. End the “state of crisis due to mass migration” and ensure that emergency powers are not used to restrict the rights of migrants and asylum seekers in a discriminatory manner; and
 - iii. Ensure that any future emergency measures are strictly necessary, time-limited, proportionate, and subject to effective parliamentary and judicial oversight;
- c. Repeal all laws and practices that arbitrarily restrict freedoms of assembly, association, and expression:

⁸⁵ Médecins Sans Frontières, Alarming Violence Occurring at Hungary-Serbia Border (Press Release, Aug. 4, 2022), <https://www.msf.org/violent-pushbacks-hungary-serbia-border>.

⁸⁶ *Id.*

⁸⁷ Office of the High Commissioner for Human Rights, Deadly Practice of Migrant “Pushbacks” Must Cease – UN Special Rapporteur (Jun. 23, 2021), <https://www.ohchr.org/en/press-releases/2021/06/deadly-practice-migrant-pushbacks-must-cease-un-special-rapporteur>.

- i. Repeal or amend the 2021 Act LXXIX, or “propaganda law,” to remove provisions that prohibit or restrict the depiction of LGBTQI+ identities in educational, cultural, and media content, ensuring compliance with international standards on freedom of expression and non-discrimination;
 - ii. Amend the 2023 Act LXXXVIII on the Protection of National Sovereignty to abolish or significantly limit the powers of the Sovereignty Protection Office and introduce independent judicial oversight, clear legal definitions, and effective legal remedies for individuals and organizations subject to investigation;
 - iii. Revise the 2025 Act III amending Act LV of 2018 on the right of assembly, and later constitutional amendments, to ensure that LGBTQI+ organizations and events can exercise the right to peaceful assembly without discrimination, surveillance, or penalties for participation.
 - iv. Immediately drop any criminal, administrative, or other punitive proceedings against organizers and participants of peaceful assemblies;
- d. Ensure an enabling environment for civil society and the media by ceasing discriminatory audits, ending smear campaigns against NGOs and journalists, and guaranteeing the independence of media regulators;
- e. Ensure full respect for the rights of migrants, asylum seekers, refugees, and dual nationals in accordance with international human rights and refugee law, including the principles of non-discrimination and non-refoulement, by:
- i. Repealing legislation authorizing the forced return of migrants and asylum seekers to border transit zones or external territories without individualized assessments of protection needs;
 - ii. Ending the practice of pushbacks at Hungary’s borders and ensure that all individuals have access to fair and effective asylum procedures in accordance with international law; and
 - iii. Repealing Act XLIX of 2025 on the Suspension of Hungarian Citizenship and relevant constitutional amendments permitting the suspension of Hungarian citizenship of dual nationals, in order to protect citizenship rights, prevent discrimination based on nationality status, and ensure compliance with international human rights standards; and

- f. Ensure that public funding and governance of cultural institutions are administered through independent, transparent, and non-discriminatory processes, including establishing safeguards to prevent political interference in funding allocations, leadership appointments, and cultural programming, and ensuring that artists and cultural institutions are not disadvantaged on the basis of their work and expressed viewpoints.