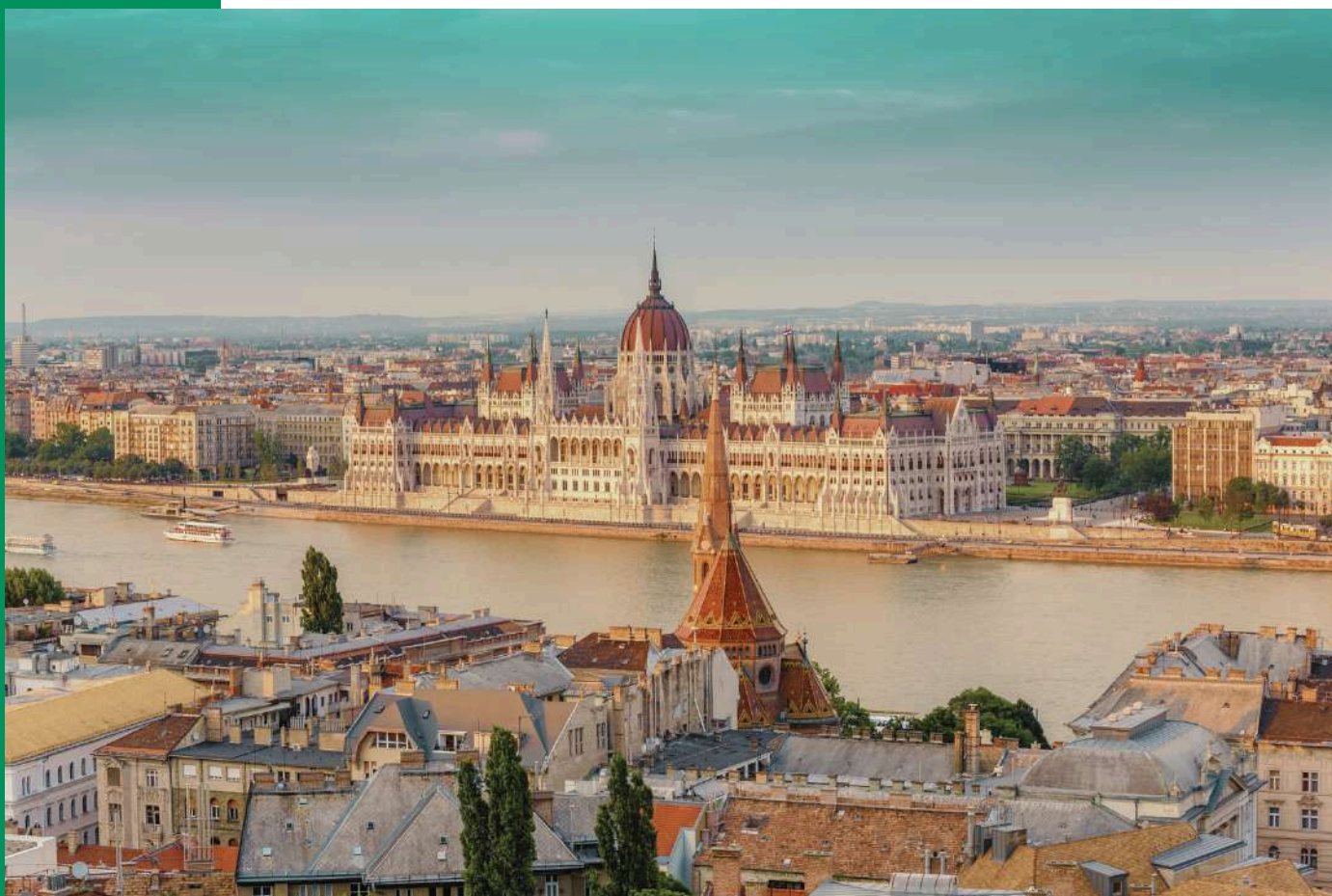




European Parliament
FORMER MEMBERS
ASSOCIATION

23-25 OCTOBER 2024

FMA VISIT TO HUNGARY



FMA SECRETERIAT

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7 GOALS



“Make
Europe
Great
Again”

The Hungary presidency priorities ¹

From **July 1st to December 31st 2024**, Hungary overtakes **the Presidency of the Council**. It will focus on seven thematic areas, and will provide particular attention to maintaining the unwavering support to Ukraine.

The Belgian Presidency has outlined **7 main priorities**:

1. A **New European Competitiveness Deal**
2. The reinforcement of **European defense policy**
3. A consistent and **merit-based enlargement policy**
4. Stemming **illegal migration**
5. Shaping the future of **cohesion policy**
6. A **farmer-oriented EU agricultural policy**
7. Addressing **demographic challenges**

The Hungarian Presidency will work as an honest broker. The aim is to sincerely cooperate between Member States and institutions. The Hungarian presidency defends a truly strong Europe, ensuring peace, security and prosperity.

Hungary will have to start the implementation of the Strategic Agenda 2024–2029. This Agenda is setting out the long-term guidelines for the Union’s future work.

Source: <https://hungarian-presidency.consilium.europa.eu>

Priorities in More Detail¹



NEW EUROPEAN COMPETITIVENESS DEAL

- Address high **inflation, public debt, energy prices, and supply chain fragmentation.**
- Emphasize a **technology-neutral** industrial strategy and framework for boosting productivity.
- Promote an **open economy, flexible labor market, and a New European Competitiveness Deal.**
- Focus on **SME support, green and digital transitions, and sustainable job creation.**



THE REINFORCEMENT OF EUROPEAN DEFENSE POLICY

- Europe needs to improve **defence capabilities, crisis management, and capacities.**
- EU must **strengthen its resilience** and capacity to act for its own security.
- Hungarian Presidency will focus on enhancing the **European Defence Technological and Industrial Base and defence procurement cooperation, aligned with the Strategic Compass.**



A CONSISTENT AND MERIT-BASED ENLARGEMENT POLICY

- It is essential to maintain a **merit-based, balanced, and credible approach** to European Enlargement.
- **Integration of the Western Balkans** is crucial for EU completion and offers economic, security, and geopolitical benefits.
- Hungary plans to invite partners to consultations at the **EU-Western Balkans Summit** and **European Political Community.**

Source: <https://hungarian-presidency.consilium.europa.eu/en/programme/programme/>



STEMMING ILLEGAL MIGRATION

- **Europe faces significant migratory pressure**, challenging the Union and burdening Member States, especially those at external borders.
- Solutions require **closer cooperation with bordering countries**, key countries of origin and transit, and **combating illegal migration and human smuggling**.
- The Hungarian Presidency will focus on the **external dimension of migration, efficient cooperation with third countries, effective returns, innovative asylum rules, and external border protection**, emphasizing the **need for EU funds**.



A FARMER-ORIENTED EU AGRICULTURAL POLICY

- **Climate change, rising input costs, and increased imports** reduce sector competitiveness.
- **Farmers' livelihoods are at risk**; agriculture should be seen as part of the **climate solution**.
- The offered solution is to engage farmers in **sustainable practices** to ensure food security and public goods.
- **EU's long-term food sovereignty and security** should be integral to strategic autonomy.
- The Hungarian presidency encourages the **Agriculture and Fisheries Council to influence post-2027 agricultural policy**.
- It also promotes sustainable agriculture **balancing the European Green Deal and farmers' well-being**.



ADDRESSING DEMOGRAPHIC CHALLENGES

- The Hungarian Presidency highlights issues of **accelerating ageing, unsustainable welfare systems, and labor shortages**.
 - It also highlights the **Green and digital transitions, rural depopulation, and fiscal pressures**, referencing the **EU's 2023 demographic toolbox**.
-

“Europe is facing the shared challenges of the war in our neighbourhood, global competition, a fragile security situation, illegal migration, natural disasters, the effects of climate change, and the demographic situation.”

János Bóka, Hungarian Minister for European Affairs, at the presentation of the Hungarian presidency's political priorities, 18 June 2024

For more information on the Hungarian Presidency, please visit <https://www.consilium.europa.eu/en/council-eu/presidency-council-eu/>

The website is **available in all official EU languages.**

Ces document sont issus de traductions automatiques et peuvent donc contenir des erreurs de précision dans la traduction.

The Trio Programme¹

Belgium held the Presidency of the Council of the European Union from 1 January to 30 June 2024. **Belgium succeed Spain in this. From July 2024, the baton is passed to Hungary.** These three consecutive presidencies constitute the **current "trio"**. Spain, Belgium and Hungary have adopted a **joint programme outlining the common priorities of the trio**.

This system was **established by the Lisbon Treaty** in 2009 and began to **operate in 2010 with the same trio of presidency that is starting now**, consisting of Spain, Belgium and Hungary.

Working with continuity

The **trio sets the objectives and the agenda to be addressed by the council for the shared 18-month period**. On the basis of this agenda, **each of the three countries draws up its own agenda in greater detail** and prepares its draft agendas for council meetings.

The **trios is therefore a figure that allows for continuity of work** over a period of eighteen months and prevents projects from being suspended every six months.

The eighteen-month cycle inaugurated by Spain runs from 1 July 2023 to 31 December 2024.

Programme

The trio of Presidencies - Spain, Belgium and Hungary - will work together to **find common solutions** to the challenges and tasks ahead. The **Russian war of aggression** against Ukraine combined with **increasing global uncertainty** require the European Union to **enhance its resilience and strategic autonomy**.

This means:

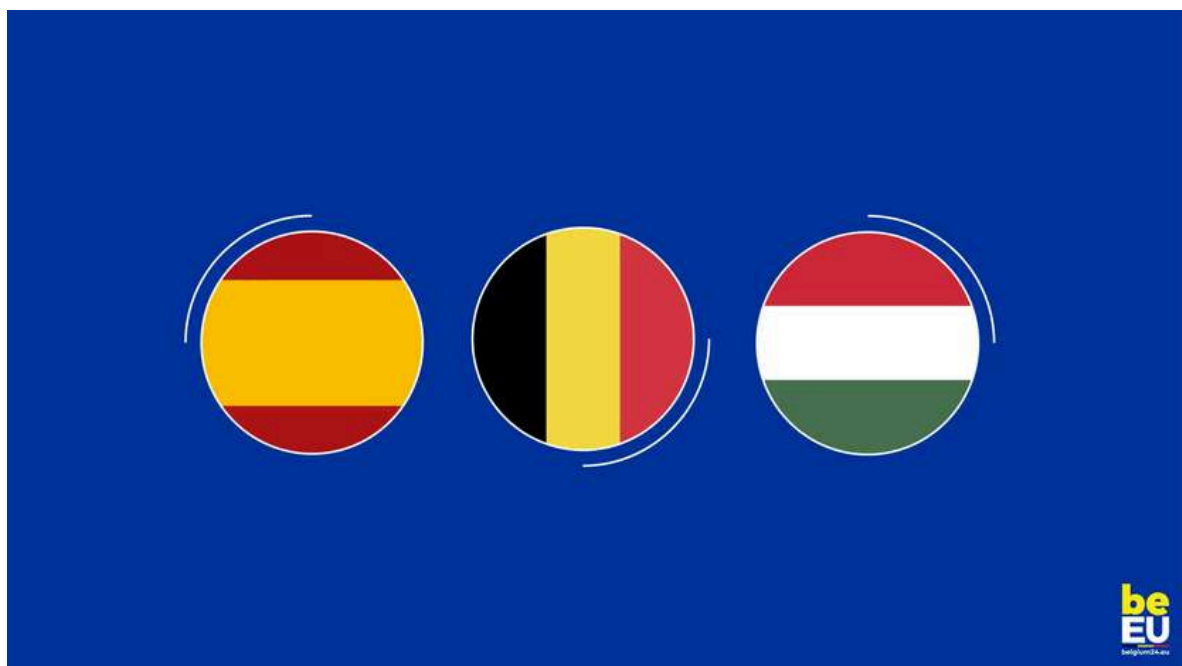
- **Reinforcing the EU's global competitiveness** by strengthening our industrial base in line with the accelerated twin green and digital transitions and making use of innovation;
 - **Ensuring the twin transitions are fair, just and inclusive** by enhancing the social dimension of Europe, including by addressing the demographic challenge the EU is facing;
-

-
- **Strengthening international partnerships, multilateral cooperation, and security in all its dimensions**, as well as building up an ambitious and balanced trade policy, whilst at the same time **defending EU interests more assertively**, based on our values, and strengthening the EU's capability to act in the field of security and defence.

The trio commits to steering the work of the Council at the end of the current institutional cycle to ensure a smooth transition to the next one. The **trio will also contribute to reflections on how to integrate new members** in a manner that strengthens key European policies.

Building on the experience gained through the Conference on the Future of Europe, the **trio is maintaining efforts to enhance dialogue with citizens**, together with the other EU institutions within their competences.

If you want to know more **details about the Trio Program**. The program is also available in other EU languages.



Source: <https://belgian-presidency.consilium.europa.eu/en/programme/trio-programme/>

Hungary - History¹

History of Hungary, a survey of important events and people in the history of Hungary from ancient times to the present. The citizens of Hungary know their landlocked central European country as Magyarország, "Land of Magyars."

They are unique among the nations of Europe in that they speak a language that is not related to any other major European language. Linguistically surrounded by alien nations, Hungarians felt isolated through much of their history.

After six centuries of independent statehood (896–1526) Hungary became part of two other political entities: the Habsburg and Ottoman empires. In the 19th century it became a partner in Austria-Hungary (1867–1918).

At the end of World War I Hungary lost 71 percent of its territory as a result of the Treaty of Trianon (1920), and grappling with that loss has remained part of the collective psyche. Following a period of Soviet domination (1945–90) as a part of the Eastern bloc, Hungary gained its independence in 1990.

Since the 2010s, under the increasingly authoritarian rule of Prime Minister Viktor Orbán, the country has been characterized as an "illiberal democracy."

Key Dates²

Independence restored

1918 - Austro-Hungarian Empire is broken up at the end of World War I. Hungarian republic is proclaimed following a revolution.

1919 - Communists take over power under Bela Kun. Kun wages war on Czechoslovakia and Romania. Romanian forces occupy Budapest and hand power to Admiral Miklos Horthy.

1920 - Under Treaty of Trianon, Entente powers award more than two-thirds of Hungarian territory to Czechoslovakia, Romania and Yugoslavia. The re-defining of Hungary's borders leaves a third of native Hungarian speakers living outside the country.

The National Assembly re-establishes the Kingdom of Hungary, but as the Entente powers had refused to allow the return of a Habsburg king, Admiral Horthy is made regent.

1920s-1930s - Admiral Horthy's rule is characterised by bitter resentment at loss of Hungarian territories, becomes progressively more reactionary and more closely allied with Nazi Germany.

1938 - After Munich Agreement cedes part of Czechoslovakia to Germany, Hungary regains some of the territory it lost in 1920.

1939 - Hungary joins Anti-Comintern Pact of Germany, Japan and Italy, and withdraws from League of Nations.

1940 - With the encouragement of Nazi Germany, Hungary regains northern Transylvania from Romania.

1941 - Germany invades Soviet Union. Hungary allies itself with Germany, and loses a large part of its army on the Eastern Front.

1944 - Hungarian Nazis seize power after Horthy asks advancing Soviet troops for an armistice. Jews and gypsies are deported to death camps.

Communist rule

1945 - Soviet forces drive the Germans out of Hungary by early April. New coalition government introduces land reform bill, redistributing land from large estate owners to peasants.

1947-49 - Communists consolidate power under Soviet occupation, with new constitution, nationalization of industry, collectivized agriculture and mass terror.

1956 - Uprising against Soviet domination suppressed by the Soviet Army. Janos Kadar becomes head of government.

1960s - Kadar gradually introduces limited liberalizing reforms. Political prisoners and church leaders are freed, farmers and industrial workers given increased rights.

1968 - New Economic Mechanism brings elements of the market to communist state management.

Spearheading change

1988 - Kadar is replaced by Karoly Grosz. Opposition groups form the Hungarian Democratic Forum.

1989 - May - Border with Austria is opened, and thousands of East Germans escape to the West. Communist state in Hungary is dismantled and a transition to a multi-party democracy starts.

1990 - A centre-right coalition wins elections. Hungary withdraws from any participation in Warsaw Pact military exercises.

1991 - Soviet forces withdraw from Hungary. The Warsaw Pact is dissolved.

Democracy

1994 - Former Communists and liberals form coalition following elections. Gyula Horn, the leader of the reform Communists, pledges to pursue free-market policies.

1997 - Referendum endorses joining Nato, which happens in 1999. The European Union decides to open membership talks with Hungary, which begin in 1998.

1998 - Centre-right coalition under Fidesz leader Viktor Orban elected.

2001 June - Parliament backs controversial Status Law entitling Hungarians living in Romania, Slovakia, Ukraine, Serbia, Croatia and Slovenia to a special identity document allowing them to work, study and claim health care in Hungary temporarily.

2002 May - Peter Medgyessy forms new centre-left coalition government in which the Socialist Party partners the liberal Free Democrats.

2003 April - Referendum overwhelmingly approves Hungary's membership of an enlarged EU. However, turnout is only 46%.

Hungary in the EU

2004 May - Hungary is one of 10 new states (Czechia, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia) to join the EU.

2004 September - Former sports minister Ferenc Gyurcsany becomes prime minister following resignation of Peter Medgyessy in row with coalition partner over reshuffle.

2005 June - Parliament chooses opposition-backed Laszlo Solyom as president after Socialists' candidate is blocked by their Free Democrat coalition partners.

2006 April - General election returns Socialist-led coalition under Ferenc Gyurcsany to power.

2006 September-October - Violence erupts as thousands rally in Budapest demanding the resignation of Prime Minister Gyurcsany, after he admitted his government had lied during the election campaign.

Economic woes

2008 March - Government defeated in opposition-sponsored referendum calling for abolition of new fees for health care and higher education.

2008 April - Mr Gyurcsany reshuffles cabinet after Alliance of Free Democrats quits coalition.

2008 October - Hungary is badly hit by the global financial crisis. International Monetary Fund, EU and World Bank grant rescue package worth 20bn euros (£17bn).

2009 March - Hungary and Russia sign deal to build part of the South Stream pipeline across Hungarian territory, although pipeline was eventually halted in 2015. Hungary also agrees to jointly build underground gas storage facility in Hungary, a move which will turn the country into a major hub for Russian gas supplies.

2009 April - Economy Minister Gordon Bajnai takes over as PM; he announces a programme of public spending cuts, tax rises and public wage freezes.

2009 June - Far-right Jobbik party wins three seats in European Parliament elections, gaining almost 15% of the vote.

Rise of the right

2010 April - Conservative opposition party Fidesz wins landslide victory in parliamentary election, gaining two-thirds majority. Jobbik enters parliament for first time, winning 47 seats.

2010 May - Parliament passes law allowing ethnic Hungarians living abroad to apply for Hungarian citizenship. Slovakia threatens to strip anyone who applies for dual nationality of their citizenship.

2010 October - A state of emergency is declared after a torrent of toxic red sludge escapes from a reservoir of chemical waste, killing seven people and injuring 150. Rivers

2011 February - Government agrees to amend media law. European Commission says that the changes meet its concerns over media freedom.

New constitution

2011 April - Parliament approves a new constitution that opponents say threatens democracy by removing checks and balances. The EU expresses concern over the law and asks for it to be withdrawn.

2011 December - Parliament approves controversial new election law that halves the number of MPs and redraws constituency boundaries. Critics object it tilts the system in favour of the governing Fidesz party.

Parliament passes controversial law on central bank reform that gives the government greater control over monetary policy. EU and IMF officials cut short aid talks.

2012 January - Top rate of VAT is increased from 25% to 27% - the highest rate in the EU - as part of a series of austerity measures aimed at curbing the budget deficit.

Tens of thousands of people take part in protests in Budapest as controversial new constitution comes into force.

Credit ratings agency Fitch downgrades Hungary's credit rating to junk status. Two other main ratings agencies already reduced Hungary's rating to junk levels within the previous six weeks.

2012 February - Hungarian state-owned airline Malev goes bankrupt.

EU aid suspended

2012 March - EU suspends aid payments to Hungary because of budget deficit.

2012 April - Hungary makes small changes to the Central Bank law, and the European Commission agrees to resume talks with the IMF on a massive bailout.

2012 May - Veteran Fidesz politician Janos Ader elected president by parliament. His predecessor and fellow Fidesz supporter Pal Schmitt resigned in April after it was revealed that he had plagiarised the works of others in his doctoral thesis.

Standoff with IMF

2012 September - Government rejects conditions attached by the IMF to a new 15bn-euro (£12bn) loan as unacceptable. PM Viktor Orban says the government will present an "alternative negotiation proposal".

2012 November - Jobbik MP Marton Gyongyosi sparks outrage by calling for a list of officials of Jewish origin to be compiled, saying that they could pose a "national security risk".

2013 January - Constitutional court strikes down electoral law amendment approved by parliament in November, saying it restricts voter rights.

2013 March - Parliament approves fourth amendment to 2012 constitution, curbing power of constitutional court.

Economic recovery

2013 June - Government seeks to amend constitution banning political advertisements in independent media and restrictive guidelines on recognition of religious groups, but later waters down proposals under EU pressure.

Hungary emerges from recession, EU releases it from excessive deficit procedure mechanism.

2013 September - Parliament approves the latest constitutional changes, despite threat of legal action from the EU.

2013 December - Supreme Court blocks a government attempt to have loans denominated in foreign currencies declared unlawful.

2014 January - The unveiling of plans for a memorial marking the seventieth anniversary of the German occupation in 1944 prompts criticism that the government is seeking to play down Hungary's wartime role as a Nazi ally. Following an international outcry, the plans are put on hold.

2014 February - The government approves a controversial 10bn euro (£8.3bn) deal with Russia over the financing of two new reactors at the Paks nuclear power plant.

Second Fidesz victory

2014 April - Fidesz wins a second sweeping victory in parliamentary elections. International election monitors say that restrictive campaign rules and biased media coverage gave the governing party an unfair advantage.

2014 July - Prime Minister Viktor Orban says that liberal democracy has had its day, and cites Russia, China and Turkey as successful "illiberal" states that he says are worthy of emulation.

2014 August - Mr Orban criticises EU sanctions imposed on Russia over the Ukraine crisis.

2014 September - Hungary's gas pipeline operator says it has suspended delivery of gas to neighbouring Ukraine indefinitely. The move coincides with Russian moves to boost supplies to Hungary.

2014 October - The government drops a proposed tax on internet use which had sparked big protests in Budapest.

2015 February - Thousands protest at visit by Russian President Vladimir Putin on gas supplies to Hungary. EU member states had agreed not to hold bilateral meetings with Mr Putin after Russia's annexation of Crimea.

Migrant crisis

2015 May - EU denounces Hungarian plans for public consultation on immigration, saying proposed questionnaire risks demonizing migrants.

2015 September - New law allows arrest of migrants seeking to cross fence on Serbian border, after 200,000 mainly from the Middle East enter the country over the summer in hope of moving on to Germany and elsewhere.

2016 October - Government claims victory after referendum overwhelmingly backs its rejection of EU plans to relocate migrants among member-states, despite low turnout of 40.4%.

2017 May - European Parliament threatens to suspend Hungary from the EU in practical terms over its attempts to close down the liberal Central European University in Budapest.

2017 June - Hungary passes law that requires non-governmental organisations to register as foreign organisations if they receive a certain amount of funding from abroad, in a move seen by opposition supporters as targeting groups critical of the government.

2017 November - Hungarian-born financier George Soros complains about a government campaign involving billboards and leaflets alleging he plans to force EU countries to accept millions of migrants.

Hungary and the EU: Violations, Penalties, and Blockades*

The EU does have a problem with Hungary. Within the country, democracy, human rights, and the rule of law are under increasing pressure. In terms of European policy, **Viktor Orbán is making obvious attempts to blackmail EU institutions and other member states at ever shorter intervals.** The conflict between Budapest and Brussels is not new. However, it has come to a head in recent years.

The European Union has responded to the ongoing violations of rule of law principles in Hungary with an array of instruments and procedures. For example, the European Commission has repeatedly initiated **infringement** proceedings against the country in recent years. In September 2018, the European Parliament activated the **Treaty of Europe's Article 7 procedure**, according to which member states in serious and persistent breach of the **values set out in Article 2 of the TEU can be deprived of certain rights arising from their EU membership, including the right to vote in the council.** The procedure has since been blocked in the council.

In addition, Hungary has had a total of over **€30 billion in EU funds frozen** over the past three years due to serious rule of law deficits. Hungary is the first and, so far, only member state against which the EU's new conditionality mechanism has been applied. This affected just over **€6 billion in cohesion funds.** Almost simultaneously, the European Commission also imposed a freeze on the remaining funds from Hungary's cohesion funds due to **non-compliance with the EU Charter of Fundamental Rights**, which must be taken into account when implementing EU funds due to the so-called horizontal empowerment condition, of which the EU only released around **€10 billion again in December** 2023 (in a historic step, the European Parliament on March 12 signaled it will be taking the European Commission to court over this decision). In addition, almost all of the funds from the **EU Recovery and Resilience Facility, which total over €10 billion in loans and grants, are still outstanding.**

Prime Minister Orbán has repeatedly reacted by blocking important decisions by the EU and its member states. Most recently, Hungary **blocked the reform of EU migration policy** and Sweden's accession to NATO, even following ratification by Turkey and only approved the country's membership in early March.

There was a further escalation at the summit of EU heads of state and government in December 2023, when Orbán left the room to allow the opening of accession negotiations with Ukraine and Moldova, but **vetoed the urgently needed €50 billion EU aid package for Ukraine.** An agreement on the latter could only be reached at a special summit convened for this purpose on February 1.

The blockades are often not about defending national interests in Brussels. Rather, it seems the veto is used, not only but above all, as a means of **exerting pressure for other purposes, for example to get the European Commission and the other member states to release the funds blocked due to the rule of law.**

This is a problem for the EU in several respects. The Orbán government is significantly restricting the EU's ability to act politically through its blockades. Admittedly, an agreement has always been reached in the European Council in the end. But this always comes late and often at a price.

**INTERNATIONALE
POLITIK Quarterly**

Internationale Politik (IP) is the magazine of the German Council on Foreign Relations (DGAP, Deutsche Gesellschaft für Auswärtige Politik). It covers contemporary topics in international affairs.

Editor-in-Chief: Martin Bialecki

Brussels Columnist: Rebecca Christie

Source: (Mar 13, 2024) <https://ip-quarterly.com/en/european-unions-hungary-problem>

List of relevant articles:

The Economist. (2018, April 6). Why is Hungary turning to nationalism? The Economist.

<https://www.economist.com/the-economist-explains/2018/04/05/why-is-hungary-turning-to-nationalism>

Hockenos, P. (2022, April 2). The secrets to Viktor Orbán's success in Hungary. Foreign Policy.

<https://foreignpolicy.com/2022/04/01/viktor-orbans-hungary-populism-election-nationalism/>

Thorpe, B. P. K. & B. C. N. (2024, February 13). Who is Viktor Orbán, Hungarian PM with 14-year grip on power?

<https://www.bbc.com/news/world-europe-67832416>

Körömi, C. (2024, September 6). Orbán says 'it's necessary' for Zelenskyy and Putin to meet to end Ukraine war.

POLITICO. <https://www.politico.eu/article/viktor-orban-necessary-volodymyr-zelenskyy-vladimir-putin-meet-end-ukraine-war-russia/>



Government and Society in Hungary (Britannica)*

Source: <https://www.britannica.com/place/Hungary/Government-and-society>

Constitutional framework



Parliament Building, Budapest

Parliament Building on the far side of the Danube River, Budapest.

In 1989 dramatic political reforms accompanied the economic transformation taking place. After giving up its institutionalized leading role, the Hungarian Socialist Workers' Party abolished itself (with the exception of a small splinter group that continues under its old name) and reshaped itself into the Hungarian Socialist Party. In October 1989 a radical revision of the 1949 constitution, which included some 100 changes, introduced a multiparty parliamentary system of representative democracy, with free elections. The legislative and executive branches of the government were separated, and an independent judicial system was created. The revision established a Constitutional Court, elected by Parliament, which reviews the constitutionality of legislation and may annul laws. It also provides for an ombudsman for the protection of constitutional civil rights and ombudsmen's groups for the protection of national and ethnic minority rights.

The 1989 constitution was amended repeatedly, and a controversial new constitution, pushed through by Prime Minister Viktor Orbán's centre-right government, was promulgated in January 2012. Among other significant recent revisions of Hungarian law was a change in 2010 that allowed nonresidents to attain citizenship if they could prove their Hungarian ancestry and mastery of the Hungarian language.

Supreme legislative power is granted to the unicameral National Assembly, which elects the president of the republic, the Council of Ministers, the president of the Supreme Court, and the chief prosecutor. The main organ of state administration is the Council of Ministers, which is headed by the prime minister. The president, who may serve two five-year terms, is commander in chief of the armed forces but otherwise has limited authority. The right of the people to propose referendums is guaranteed.

Local government

Hungary is divided administratively into 19 *megyék* (counties), which are further split into 174 districts (*járások*). Budapest has a special status as the capital city (*főváros*), headed by a lord mayor (*főpolgármester*) and divided into 23 districts (*kerületek*), each headed by its own mayor (*polgármester*). There are also 23 cities and towns with county status (*megyei jogú városok*). Among the extensive changes to the political system introduced by the Fidesz party after its sweeping victory in the 2010 federal elections was a significant reform of Hungary's local government structure. Changes to the system of finance and to administrative responsibilities enhanced the powers of the central government agencies and institutions at the expense of local and regional governments, whose purview was limited to providing basic services.

Justice

As a result of judicial reform that began in 2012, the administration of Hungary's courts was centralized under the president of the National Judiciary Office (NJO). Elected by parliament, the NJO president has extensive power over the court system, including the recruitment and promotion of judges, as well as control of the system's purse strings. Because the counterbalancing powers of the National Judiciary Council—the self-governing body of judges elected by other judges—are considerably less than those of the NJO, a number of European organizations, including the European Commission, have stridently questioned the independence and impartiality of the Hungarian judicial system.

At the top of Hungary's four-tiered ordinary court system is the Kúria, or Supreme Court. Beneath it are the Regional Courts of Appeal, Regional Courts, and District Courts, as

well as Administrative and Labour courts. The constitutionality of the laws is overseen by the Constitutional Court, which began operation in 1990.

Political process

Parliamentary elections based on universal suffrage for citizens age 18 and over are held every four years. Under the mixed system of direct and proportional representation that was revised in 2011, 106 members of the 199-seat National Assembly are elected in single-member electoral districts, and 93 members are elected as part of national party lists. Voters express their preference for both a specific candidate running in their electoral district and a national party list. In the former case, candidates must gain a plurality of the vote to be elected. Parties that receive at least 5 percent of the national aggregate of votes are proportionally allocated seats for list candidates.

About 200 political parties were established following the revision of the constitution in 1989, but only 6 of them became long-term participants in the country's new political life after the first free elections (1990): the Hungarian Democratic Forum, Alliance of Free Democrats, Independent Smallholders' Party, Christian Democratic People's Party, Federation of Young Democrats (Fiatal Demokraták Szövetsége; Fidesz), and Hungarian Socialist Party—the latter being the party of reformed ex-communists. The same six parties were returned to Parliament in 1994, and for the following decade most of them remained represented in the legislature. The hard-core communists reemerged in 1992 as the Workers' Party, while the right-wing Hungarian Justice and Life Party was created in 1993 when it split from the Hungarian Democratic Forum. Fidesz appended Hungarian Civic Party (later changed to Hungarian Civic Alliance) to its name, and between 1998 and 2002 it became the dominant party and formed the government. The Christian Democrats organized the Centre Party alliance in 2002 but failed to make it into Parliament. After the 2010 election, Fidesz's dominance of the political system was effectively unchallenged.

Security

The Hungarian armed forces consist of ground forces, air and air-defense forces, a small navy that patrols the Danube, the border guard, and police. Military service was compulsory for males over the age of 18 until 2004, when Hungary established a voluntary force. (The term of duty varies according to the branch of service but is typically

less than one year.) The armed forces are not permitted to cross the state frontiers without the prior consent of Parliament. In the decade between 1989 and 1999, the armed forces declined from 155,000 members to just under 60,000, but, at the same time, they also underwent a process of modernization to prepare Hungary to join the Western military alliance NATO. Membership was finally achieved in March 1999, eight years after the dissolution of the Warsaw Pact, of which Hungary was a member.



France Diplomatie

Internal politics and foreign policy. (France diplomatie)*

Source: <https://www.diplomatie.gouv.fr/fr/dossiers-pays/hongrie/presentation-de-la-hongrie/>



PRESENTATION OF THE COUNTRY

Official name: Hungary

Form of government: Unicameral parliamentary republic

President of the Republic: Mr. Tamás Sulyok (takes office on March 5, 2024)

Prime Minister: Mr. Viktor Orbán (elected for the 5th time: 1998; 2010; 2014; 2018 and 2022, taking office on May 16)

Geographical data

Surface area: 93,030 km²

Capital: Budapest

Main cities: Debrecen, Miskolc, Szeged, Pécs, Győr

Official language: Hungarian

Currency: Hungarian forint (HUF)

National holidays: August 20 (St. Stephen's Day); March 15 (1848 revolution); October 23 (1956 uprising)

Demographics

Population (2022): 9.60 million

Density: 103 inhabitants / km² (2022)

Population growth (2022) : -0,6 %

Life expectancy (2022): 72.7 years (men); 79.5 years (women)

Religion: no official religion

Human Development Index (2021): 0.846 (46th)

Total fertility rate (2019): 1.55

Literacy rate (2018): 99.47



Domestic politics

The Hungarian government has been led by Prime Minister Viktor Orbán since 2010, after a first mandate between 1998 and 2002. He leads a coalition between his party, Fidesz, and the Christian Democratic People's Party (KDNP). This coalition was renewed for the fourth time following the parliamentary elections of April 3, 2022, and retained its absolute two-thirds majority (over 50% of the vote, 135 seats out of 199). The opposition coalition, united around Péter Márki-Zay (independent, Christian-Conservative, mayor of a medium-sized town) following a historically unprecedented primary, obtained a disappointing score (34%, 57 seats) given the broad political spectrum it covered and the initial forecasts. Finally, the far-right Mi Hazánk party entered Parliament with 6 seats.

Viktor Orbán's last three terms in office (2010-2014; 2014-2018; 2018-2022) have been marked by numerous reforms, including constitutional reforms (Basic Law), perceived as ideologically challenging the rule of law, the separation of powers, civil society and individual freedoms. They also revealed a hardening of Viktor Orbán's discourse on social issues and immigration. His mandates have also been marked by a tightening of control over universities and the media, while continuing to defend the Hungarian nation and the Christian family. At the same time, the government also hardened its stance on gender issues and LGBTQI+ people (Child Protection Act containing controversial amendments on June 15, 2021, submitted to referendum on April 3, 2022).

This re-election in April 2022, Prime Minister Viktor Orbán's political action has followed in the footsteps of previous mandates, focusing particularly on economic issues (combating rising energy prices, fighting inflation and boosting growth) in a deteriorated economic context, while consolidating his policy of attracting FDI, particularly from Asian countries. In this respect, the release of European funds, in particular cohesion funds, part of which (€10 billion) was released by the European Commission on December 14, 2023, as well as the NRP, is important for the government. The last two years, marked by the war in Ukraine, have also been an opportunity for the Hungarian Prime Minister to mark his singularity within the European Union, with repeated calls for a “ceasefire” and peace talks, criticism of European sanctions against Russia, and the refusal of arms supplies and transit to Ukraine.

Although the Prime Minister's popularity remains high, the recent resignation of the President of the Republic, Mrs. Katalin Novák, in February 2024, following a scandal concerning a presidential pardon that the latter had granted in a case linked to acts of paedocriminality, provoked major protest movements in Hungarian public opinion, which indirectly affected the current government.

Foreign policy

European policy

Hungary joined the European Union on May 1, 2004, and the Schengen area in 2007. Following its first Presidency in the first half of 2011, Hungary will take over the Presidency

of the Council of the European Union in the second half of 2024. Hungary is not a member of the euro zone.

Presence in European institutions: the Hungarian Commissioner in Ursula Von der Leyen's Commission is Olivér Várhelyi, currently in charge of enlargement and the European Neighborhood Policy. Hungary has 1.92% of the votes in the Council of the European Union and 21 Members of the European Parliament.

Rule of law: The Article 7 TEU procedure triggered against Hungary in September 2018 is still ongoing, and new mechanisms to protect the rule of law are in place for the new multiannual financial framework (2021-2027) with the activation of the general conditionality regime for EU funds in April 2022. In December 2022, the Hungarian government obtained approval for its recovery plan (PNRR), which was increased to €10.4 billion in November 2023, but whose disbursement remains subject to compliance with 27 “super milestones”. In addition, on December 14, 2023, the European Commission validated the release of €10 billion in cohesion funds (out of the €21.7 frozen under horizontal conditions) following the completion of judicial reform by the Hungarian authorities.

Migrants/refugees: As the main point of entry into the European Union for migrants taking the Western Balkans route until summer 2015, Hungary has adopted a very tough stance, opposing European solidarity, in particular the relocation of migrants on both a compulsory and voluntary basis. Prioritizing the fight against irregular departures, Hungary is critical of the Asylum and Migration Pact, particularly the compulsory solidarity mechanism between member states.

Enlargement: Hungary is a fervent supporter of further enlargement to include the countries of the Western Balkans, particularly Serbia (home to a large Magyar minority) and Montenegro, whose accession is seen as imperative for its security. Although initially in favor of granting candidate status to Ukraine, Hungary did not wish to take part in the vote in favor of opening negotiations for Ukraine's accession to the EU at the December 2023 European Council.

Regional policy: Hungary is set to receive €22 billion from the Cohesion Fund and €12 billion from the CAP, i.e. around €34 billion for the 2021-2027 MFF.

Visegrád Group: Hungary, which has long relied on the V4 to influence European

negotiations, now finds itself isolated within this informal organization, thanks to the outbreak of war in Ukraine. As a result, the functioning of the V4 and the pace of meetings at all levels have slowed considerably.

Foreign policy: Headed since 2014 by Mr. Péter Szijjártó, the Hungarian Ministry of Foreign Affairs and Trade devotes a significant part of its activity to economic diplomacy and relations with certain emerging countries (“opening to the East” policy).

Russia: Hungary displays a certain closeness to Vladimir Putin's Russia, whose last meeting with Prime Minister Viktor Orbán took place in Beijing in October 2023. Cooperation between the two countries is particularly developed in the energy sector, in a context of dependence on Russian hydrocarbons, and with the award to Rosatom of the contract to extend the Paks 2 nuclear power plant. Péter Szijjártó's regular visits to Russia are a reminder of this closeness. Following the invasion of Ukraine, Budapest nonetheless lent its support to European sanctions against Russia - while signalling its opposition to the transit of arms to Ukraine through its territory and its opposition to energy sanctions. In June 2022, Hungary was granted a derogation under the 6th sanctions package, allowing it to continue receiving oil supplies via the Russian Druzhba pipeline.

Ukraine: Marked by irritants, notably over the issue of the Magyar-speaking community in Transcarpathia (estimated at 130,000 people), relations between Hungary and Ukraine have become even more strained since the start of Russian aggression. Despite having voted in solidarity in favor of the 13 packages of sanctions against Russia, Hungary, unlike its V4 neighbors, wishes to keep out of the conflict. As a sign of these tensions with its neighbor, Hungary did not wish to take part in the decision to open accession negotiations with Ukraine at the European Council in December 2023, and has long been reluctant to grant the €50 billion financial facility adopted at the European Council on February 1.

China : Hungary is the European country most open to dialogue with China, and active in the 14+1 Partnership, which is seen as having the potential to bring investment benefits to Hungary.

Turkey: Hungary maintains close ties with the Turkish authorities, which were upgraded to the level of enhanced strategic partnership in December 2023, on the occasion of the Turkish President's visit to Budapest. The Hungarian authorities are keen to strengthen relations with

Turkey, particularly in view of the impact this country could have on the migration route, as well as on energy issues. Hungary also plays an active role in the Organization of Turkic States, of which it has been an observer member since 2018.

OPP: close to Israel, Hungary unreservedly supports the Hebrew state in international forums in its right to defend itself and its fight against Hamas. It traditionally sees the Abraham Accords as a means of normalizing the situation in the Middle East.

Defense : Hungary joined NATO in 1999, regarding it as the cornerstone of its security. It devoted 1.7% of its GDP to defense in 2022, and reached the target of 2% in 2023. In favor of NATO membership for the countries of the Western Balkans, Hungary approved Finland's accession to NATO in March 2023, followed by Sweden's in March 2024. It favors European suppliers (Airbus, Thales, Saab, RheinMetall) for the modernization of its defense apparatus.

Economic situation

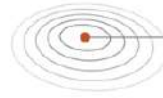
On the economic front, after suffering the full force of the 2008 economic crisis, Hungary returned to growth in 2013 and, on the eve of the health crisis, enjoyed a healthy economic situation. These results appear to be the consequence of the Orbán government's economic policy, which combines liberal recipes (lower taxes, more flexible labor laws, etc.) with protectionism. Over the years, Hungary has succeeded in positioning itself as one of the most competitive workshops in the value chain of European manufacturing industry, particularly the German automotive industry, thus attracting FDI.

Despite a strong post-Covid recovery in 2021 (+7.1% GDP after a 4.5% GDP drop in 2020), Hungarian growth continues to be severely affected by the war in Ukraine. While macroeconomic data for 2022 remain positive, with growth of 4.7%, public debt down to 73.5% and low unemployment (3.9%), 2023 will prove more difficult. Inflation, which reached an all-time high of 25.7% year-on-year in January 2023 (the highest rate in the European Union), remains high (17% for the year 2023), although it has recently fallen sharply (3.8% in January 2024). Against this backdrop, the Hungarian economy experienced a recession in 2023, at -0.8%. The outlook for 2024 is more optimistic, with expected growth of 2.4% and inflation down to 5.2%. While the EU is by far Hungary's most important partner (74% of trade), China's position is growing steadily (5th partner).

The Hungarian economy also harbors a number of weaknesses: insufficient domestic and

foreign private investment, undiversified industrial specialization (automotive), heavy dependence on European funds (€21.9 billion over the 2021-2027 period) and a structural shortage of manpower linked to a very depressed demography could put a lasting strain on growth and constitute vulnerabilities.

Updated: March 19, 2024



The Hungarian Parliament and EU affairs(EPRS 3.07.2024)*

Introduction to Hungary's parliamentary system

Hungary is a parliamentary democracy with a unicameral parliament, the Országgyűlés (National Assembly). The structure and functioning of Hungary's political system are determined by the [Fundamental Law](#) of 25 April 2011, which has been amended 12 times since its entry into force in 2012.

The National Assembly elects the President of the Republic (head of state), whose role is primarily representative but entails some complementary and controlling competences vis-à-vis the legislative, executive and judicial powers. The executive power is exercised by the Prime Minister, proposed by the President and elected by the National Assembly.

The Prime Minister chooses the ministers, who together with him/her, compose the government. The Prime Minister also defines the government's general policy. Ministers are accountable for their actions to both the National Assembly and the Prime Minister. Only the Prime Minister can dismiss them, and the government's mandate is linked to that of the Prime Minister.

The National Assembly is Hungary's supreme organ of popular representation. It is in charge of adopting and amending the Fundamental Law, adopting legislative acts, and scrutinising the government's activities. The members of the National Assembly are elected every 4 years by universal, equal, direct and secret vote. The [Act CCIII of 2011](#) on the election of members of the National Assembly reformed the electoral system by establishing a single-round election with 106 members elected in individual voting districts and 93 members elected through national-level lists.

* [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2024\)762351](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2024)762351)

The reform allowed Hungarian citizens living abroad to participate in the ballot (although they can only vote for national party lists), and national minorities to elect national minorities members. The European Parliament and the European Commission have repeatedly raised [concerns](#) about the current functioning of Hungary's constitutional and electoral system. According to the most recent resolution adopted by the European Parliament, the Hungarian government is [responsible](#) for the 'persistent systemic and deliberate breach of democracy, the rule of law and fundamental rights in Hungary.'¹

[The Hungarian Parliament's role and organisation in EU affairs](#)

The National Assembly's organisation and functions in matters relating to the EU and its cooperation with the government in this regard is regulated by the [Act XXXVI of 2012](#) on the National Assembly. A specific chapter (VI) describes the assembly's powers in EU affairs, the government's obligation to inform the assembly, and the assembly's scrutiny rights. In addition, it outlines the assembly's role in terms of upholding the principles of subsidiarity and proportionality. The National Assembly's [rules of procedure](#) (10/2014 of 24 June 2014) provide further details about the implementation of these rights and principles, and about the respective roles of the Assembly's organs (i.e. the plenary and committees).

The Act on the National Assembly provides for a standing committee on European Union affairs and empowers it with decision-making power in procedures specified by this same act. Another body dealing specifically with EU issues exists within the Hungarian National Assembly: the Consultative Body of European Union Affairs.

[Factsheet of the Hungarian National Assembly](#)

¹ G. Ilonszki, 'The Hungarian Parliament and EU Affairs: A Modest Actor Dominated by the Executive' in C. Heffler et al. (eds), *The Palgrave Handbook of National Parliaments and the European Union*, Palgrave Macmillan, 2015, pp. 531-547.

The Hungarian Parliament's work on EU affairs has been influenced by the Hungarian government's high level of political attention to EU affairs, according to academic literature. ¹ The increase in attention the government pays to EU issues had 'several positive implications for the management of EU affairs in parliament' while, at the same time, making it difficult for parliament 'to maintain its position as a policy-oriented actor'.²

Committee on European Affairs

A committee responsible for EU affairs has existed in the Hungarian Parliament since 1992. At first an ad hoc committee, it became permanent in 1994. In 2004, after Hungary's integration into the EU, it was named Committee on European Affairs (CEA, [Európai Ügyek Bizottsága](#)). The setting up of a standing committee on European Union affairs is provided for in Act XXXVI of 2012, similarly to other standing committees, such as those dealing with constitutional affairs, the budget and foreign affairs (Section 16(2)). Establishing such a committee is therefore mandatory.

The CEA counts only eight members, one of the lowest number among the standing committees. Since March 2024, Tessely Zoltán (Fidesz, NA) is the Chair of the Committee on European Affairs. This position was occupied for a long period (between 2010 and 2023) by Richárd Hörcsik (Fidesz, NA); and during a full parliamentary term (from 1994 to 1998) by the current Prime Minister, Viktor Orbán. The Members of the European Parliament (MEPs) elected in Hungary can participate in CEA meetings, similarly to plenary and other standing committees' meetings. They are authorised to speak but can only act in a consultative capacity, with no voting right.

The CEA meets around 20 times per year, with substantial variations in the length of the meetings. The CEA secretariat consists of four staff members; further staff are dealing with EU affairs in the Hungarian National Assembly, working for other committees or departments.

² *ibid.*, pp. 543 and 545.

The CEA has decision-making power concerning EU-related procedures, and its role is to monitor the government's activity in the EU institutions. It is responsible for various tasks, such as the scrutiny procedure, the examination of the respect of the subsidiarity principle, and the political dialogue with the European Commission. It also participates in the hearing of candidates for an EU position and in the Consultative Body on EU Affairs' work.³

Consultative Body on EU Affairs

An 'EU Consultation Meeting' was first established by [Act LIII of 2004](#) on cooperation between parliament and the government on European Union Affairs. Act XXXVI of 2012 changed that name to [Consultative Body on EU Affairs](#). Also known as 'Grand Committee', this body consists of the Speaker, the leaders of the parliamentary groups, the chair and the deputy chair of the CEA, the chair of the standing committee dealing with constitutional affairs, the chair of the standing committee dealing with foreign affairs, and others invited by the Speaker (Section 69(3)). The President of the Republic can also designate a person to attend the sitting of this body. The Foreign Affairs Directorate's EU Department provides the secretariat for this body.

The Consultative Body on EU Affairs provides a forum to discuss high-level issues, such as those dealt with in European Council meetings, as well as other events of EU strategic importance. It [meets](#) between three and five times a year, usually in connection with ordinary European Council meetings. The meeting agenda is linked to that of the European Council meeting taking place a few days after.

³ Parlamenti jog. Az Országgyűlés működése, feladat- és hatáskörei, kapcsolódó intézmények, Országgyűlés Hivatala, Budapest, 2022, pp. 333-343.

Engagement with the European Union

Debates on EU affairs

Discussions on EU affairs in the plenary happen occasionally but infrequently and do not constitute the core of the debate. Since the adoption of new rules of procedure in 2014, debates on legislative texts are held in the parliamentary committees rather than in plenary meetings.

A specific opportunity to speak in plenary on urgent and extraordinary matters exists in the form of 'before agenda speeches' (napirend előtti felszólalás). According to data analysed by academics, a 'relatively high share' of these speeches made between 1998 and 2018 referred to EU content, and the tendency was overall increasing.⁴

Following European Council meetings, the Prime Minister may speak before the orders of the day at the beginning of a plenary meeting in order to inform about the outcome of this European-level meeting; however, this has not happened since [December 2020](#). Instead, the government (in most cases through its State Secretary for EU affairs) usually [reports](#) to the CEA on the outcome of these European Council meetings.

Contributions to EU policy

The CEA is entitled to [examine](#) any EU draft and transmit its related opinion to the European Commission, without any constraint regarding the content or timeframe. It has to inform the Speaker of the opinion given in the context of this political dialogue, and draft the document to be sent to the European Commission (Article 145 of the rules of procedure). The National Assembly's plenary is not involved.

⁴ A. Bíró-Nagy and A. Buzogány, 'Beyond Institutional Adaptation: Legislative Europeanisation and Parliamentary Attention to the EU in the Hungarian Parliament', *Parliamentary Affairs*, 2023, p. 13.

Despite this possibility, the Hungarian Parliament rarely contributes to the political dialogue with the EU institutions, which started in 2006, when José Manuel Barroso, then President of the European Commission, first invited national parliaments to react to EU legislative proposals. The European Parliament has received only a handful of contributions in the past years (see text box 'Protocol 1 contributions'). Contrary to most of the other national parliaments' practice, the Hungarian Parliament almost never uses the subsidiarity procedure (Protocol 2) to send contributions that cannot be registered as reasoned opinions.

More contributions are nevertheless [uploaded](#) on the inter-parliamentary platform for exchange of EU information between the national parliaments in the EU and the European Parliament ([IPEX](#)). This is because the prime target of these contributions is the European Commission. Recent examples concern topics such as [enlargement policy](#), [plant protection](#) and [minimum wages](#). The contributions provided are short opinions expressing the CEA's views and considerations regarding the proposal examined.

Each year, in theory, the Hungarian National Assembly adopts an opinion on the European Commission's annual work programme (see the [opinion](#) adopted on the Commission's 2023 communication). Prior to that, a European Commission representative (either a European Commissioner or the Head of the Commission's Representation in Hungary) presents the key points and discusses the annual work programme at a CEA meeting.

Protocol 1 contributions:
Informal political dialogue

2023: 0
2022: 2
2021: 0
2020: 0
2019: 1

Protocol 2 contributions

2023: 0
2022: 1
2021: 0
2020: 0
2019: 0

Source: [Connect](#).

Interactions with the EU

Hungarian Parliament's Brussels liaison office

The Hungarian National Assembly opened a representation office to the EU on 1 September 2004, a few months after Hungary's accession to the EU. The office is part of the Foreign Affairs Directorate, similarly as the staff of the Consultative Body on EU Affairs. This permanent representative office to the EU institutions has a twofold role: to provide the Hungarian Parliament with up-to-date, direct information on the work of EU institutions (mainly the European Parliament) and other national parliaments, and reciprocally to inform EU institutions and other EU national parliaments about the European activities of the Hungarian Parliament. The office also facilitates contacts and exchanges with EU institutions, for instance in the case of Brussels' visits from members of the National Assembly.

Members' visits to, and meetings with, EU actors

In 2004, the 'Forum of Members of the European Parliament' was established by Act LVII of 2004 on the legal status of Hungarian Members of the European Parliament (Article 3). All MEPs elected in Hungary are considered members of this forum. The main purpose of this consultative forum is to ensure an exchange of views on strategic issues on the European Parliament's agenda that are of particular importance to Hungary. The forum is a framework for cooperation between Hungarian MEPs in order to coordinate their positions. Despite its prior functioning and remaining formal existence, the forum is currently not being used.

As stated above, MEPs elected in Hungary can participate in the discussions of CEA meetings, as well as in plenary and standing committee meetings, but only when EU issues are on the agenda. They do not have any voting rights, and their participation is regulated by the rules of procedures. Around two plenary meetings per year see interventions from MEPs, who can belong to the parliamentary majority and/or to the opposition (see overview since [2022](#) and for the [2018-2022](#) and [2014-2018](#) periods) In 2024, for example, MEPs Klára Dobrev (Demokratikus Koalíció, S&D), Tamás Deutsch (Fidesz, NA) and Katalin Cseh (Momentum, Renew) spoke in two plenary meetings. Participation in standing committee meetings almost exclusively applies to the CEA, with only a few exceptions (mostly the Committee on Foreign Affairs). This practice is more frequent, but varies widely from one year to another. For instance, only three meetings were concerned in 2022, compared with 15 in 2020 (see overviews since [2022](#) and for the [2018-2022](#) period).

Almost every year, European Commissioners or official Commission representatives pay a visit to the Hungarian Parliament. Most of the time, they attend a CEA meeting, but other committees might also be involved. At the time of writing, two visits had taken place so far in [2024](#), one from the European Commissioner for Environment, Oceans and Fisheries, Virginijus Sinkevičius, and one from the European Commissioner for Neighbourhood and Enlargement, Olivér Várhelyi.

Hungarian Parliamentarians' visits to the European Parliament are either very rare or do not involve the European Parliament's secretariat. The last study visit from members of the Hungarian National Assembly registered by the European Parliament secretariat dates back to early [2019](#). It involved 12 new Members who met with Hungarian MEPs. A few staff visits have been registered over the past years, as well.

Other possibilities for exchange between national and European parliamentarians include the [inter-parliamentary meetings](#) organized by European Parliament committees and meetings of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the EU ([COSAC](#)). An inter-parliamentary forum, enshrined in Protocol 1 to the EU Treaties, COSAC gathers representatives of national parliaments' European affairs committees and MEPs twice a year. These meetings provide opportunities to exchange information and good practice, and to strengthen cooperation between EU affairs committees, national parliaments and the European Parliament. The COSAC presidency is linked to the order of rotating Council presidencies and therefore in the hands of the Hungarian Parliament from 1 July 2024 until the end of the year. The next COSAC meetings are scheduled to take place on 28 and 29 July in Budapest for the meeting of the chairs and from 27 to 29 October for the plenary meeting. Moreover, various thematic inter-parliamentary conferences are due to take place in Budapest: on the common foreign and security policy and the common security and defense policy ([9 and 10 September](#)), on stability, economic coordination and governance in the EU ([3 and 4 October](#)), and on cultural heritage and the identity of traditional national minorities ([4 and 5 December](#)).

The Hungarian EU Council Presidency's parliamentary dimension is supported by a dedicated [website](#). Similarly to the last three successive presidencies (known as 'trio'), the presidents of the current presidency trio's parliaments (Spain, Belgium and Hungary) have not continued the practice of signing a declaration on the preparation and exercise of the rotating Council presidencies' parliamentary dimension.



Scrutinising EU affairs

The National Assembly's scrutiny role on EU affairs is guaranteed by the Fundamental Law (Article 19). It ensures the assembly's right to request information from the government on its positions, and the possibility to adopt opinions on EU documents. The government theoretically has to 'act on the basis of the position taken by the National Assembly'. The Hungarian Parliament is described in the academic literature as having relatively strong formal scrutiny rights on EU affairs, which are, however, not used to the full extent.⁵

Access to documents and information The government must ensure access for the National Assembly to all EU documents that are on the agenda of EU decision-making procedures. It should furthermore help select the documents for discussion by identifying, at the beginning of each rotating Council presidency of the EU, the documents of specific importance for Hungary. Explanations should be provided on why these documents are particularly important.

The National Assembly can also request other documents from the government, such as its own restricted documents. In practice, however, the decision on the transmission of documents is taken by the government.

The National Assembly is entitled to ask the government about the position it intends to represent regarding any EU draft. The government's position is presented in a document known as 'proposal for position'. This document also contains elements such as a summary of the content of the EU draft, a reference to the EU's decision-making procedure to be applied, an expected schedule for adoption at EU level, and the possible legislative tasks that might result from the text.

⁵ See G. Ilonszki, 'The Hungarian Parliament and EU Affairs: A Modest Actor Dominated by the Executive'; and G. Ilonszki and A. Vajda, 'How Far Can Populist Governments Go? The Impact of the Populist Government on the Hungarian Parliament', *Parliamentary Affairs*, Volume 74, Issue 4, October 2021, pp. 770-785.

The National Assembly may also request further elements, for instance a list of national and European laws relating to the EU draft, a presentation of the expected economic, budgetary and social effects in Hungary, and the opinions of EU institutions or other Member States. In this case, too, the decision to provide such a document remains largely in the government's hands.

In terms of access to information, MEPs elected in Hungary should also receive information necessary for their work by public bodies (Article 17 of Act No LVII of 2004).

Control of the government's activities

While the standing committees are responsible for the parliamentary discussions on EU texts within their respective remits, the scrutiny of EU documents and the government's position on them is mainly driven by the CEA.

The CEA chair proposes to the committee the EU drafts it intends to scrutinise and for which it will ask the government to come up with a proposal for position. This scrutiny can also be triggered by a motion from at least two fifths of CEA members, with a limit of four motions per ordinary session (Section 140 of the rules of procedure specifies the scrutiny procedure). However, this power given to the minority has almost never been used.

According to the rules of procedure, the Speaker of the National Assembly, at the proposal of the CEA, requests the standing committee responsible for the subject of the EU draft to draw up an opinion on this text. The CEA will use this input to draft its opinion and invite the chair of the designated standing committee and one expert from each parliamentary group to an in camera sitting of the CEA for this purpose. The CEA's responsibility is to draw up an opinion on the EU draft under scrutiny and the government's proposal for position.

Prior to the Council meeting during which the EU draft is supposed to be discussed, the Minister or State Secretary responsible will appear before the CEA and present the position the government intends to adopt. In a closed session, the government [formulates](#) its position on the draft EU legislative text based on this exchange with the CEA. However, the number of such procedures initiated each year is rather limited (some [recent](#) and [past](#) examples are presented on the National Assembly's website).

Regarding European Council meetings, the Prime Minister has to inform the Consultative Body on EU Affairs before the meeting, as well as before other EU events of strategic importance. The Prime Minister formulates in camera the position it intends to defend at the European Council meeting for the different points on its agenda. The Consultative Body can make comments but neither votes nor adopts any opinion or mandate. [Practice](#) shows that in recent years, this exchange has only taken place before ordinary European Council meetings. Until 2013, informal or special European Council meetings were also covered; however, this started to become exceptional from 2013 onwards and was interrupted in 2016.

After European Council meetings, the Prime Minister may speak outside of the parliament's agenda in order to inform Members about the outcome of the meeting. In practice, however, the ex-post oral briefing is [usually](#) delivered by the State Secretary for EU Affairs at a public meeting of the CEA. This forms part of the government's obligation to 'regularly inform the standing committee dealing with European Union affairs about the meetings of the European Council and the events of strategic importance of the European Union' (Section 69(1) of Act XXXVI of 2012).

In addition, each year, the government is required to report to the National Assembly on questions relating to Hungary's EU membership and the state of the European integration. In this case, as well, it is usually the Minister or State Secretary for EU Affairs who appears in front of the CEA. The report on the year 2023 [took place](#) during a CEA meeting that also heard a debrief on the most recent European Council meeting.

Subsidiarity control

As all other EU Member State national parliaments, the Hungarian National Assembly can raise an objection in the form of a reasoned opinion if it considers that an EU proposal does not comply with the subsidiarity principle (Protocol 2 to the EU Treaties).

It is up to the CEA to examine the respect of the subsidiarity principle. If the CEA identifies a risk, it has to submit a report and a proposal for resolution to the plenary. Within 15 days following the submission, the plenary should decide on adopting it but cannot amend it. If it adopts it, the report forms a reasoned opinion that is immediately transmitted to the President of the European Parliament, the Council of the EU and the European Commission. The government is informed at the same time.

This mechanism is rarely used (see text box 'Early warning system'). In 2020, more reasoned opinions were adopted compared with other years; they related to migration and asylum policy. The latest reasoned [opinion](#) adopted at the time of writing concerns the proposal to establish harmonised requirements in the internal market on transparency of interest representation carried out on behalf of third countries. The limited use of this instrument contrasts with the Prime Minister's [support](#) for a stronger system, with a 'red card' allowing national parliaments to stop EU's legislative process if they consider that national powers might be undermined.

Ex post, i.e. if the National Assembly deems a legislative act adopted by the EU not to respect the subsidiarity principle, the CEA can, within 1 month of the publication of this EU act, ask the government to bring an action before the Court of Justice of the EU. The CEA must specify the arguments supporting its opinion, and the government can request a consultation of the National Assembly. The government can decide to reject the initiative, but must then provide a detailed reasoning for this rejection.

Early warning system – Reasoned opinions by the Hungarian Parliament

2023: 1

2022: 1

2021: 0

2020: 5

2019: 0

Source: [Connect](#)

Implementing EU legislation

Being an EU Member State implies that the legislative texts adopted at EU level have to be incorporated, or transposed, into the national legal system. EU regulations are binding legislative acts, directly applicable in all Member States on their date of application. The measures to implement EU regulations are taken by the Hungarian executive with no specific involvement of the parliament.

For EU directives, it is up to each Member State to decide on the transposition method, to ensure that the national legislation allows for the goals set by the text to be reached. As no special provisions exist in Hungary regarding the transposition of EU directives, the ordinary process of law-making applies (see the main stages of this [legislative process](#)). Most of the legislation submitted to parliament is proposed by the government, but any member of parliament, any parliamentary committee, or the President of the Republic, may also initiate legislative acts. The transposition of EU laws into the national legal system is, however, considered a competence of the executive branch: it is not the National Assembly but the government that drafts bills to transpose EU directives.

During the 2002-2018 period, just over a third (38 %) of Hungarian laws were of EU origin, according to academic research. ⁶ These 'Europeanized' laws relate both to mandatory acts (directives, regulations, decisions) and to non-binding acts (recommendations, opinions). This proportion is relatively high compared with other Member States.

At the end of 2022, Hungary was the [12th](#) EU country with the highest number (75) of open infringement cases, according to the European Commission's monitoring of the application of EU law. It was the sixth country in terms of the number of new infringements opened during 2022. In this case, as well, it is the government, not the parliament, that bears the responsibility for incomplete or inappropriate transposition of EU legislation. The Hungarian Ministry of Justice runs an [online database](#) on harmonisation of laws, which contains data on the Hungarian legislation transposing or implementing EU legal acts – both for completed and ongoing legislative procedures.

The Hungarian Parliament does not engage in any specific [evaluation](#) work going beyond classical parliamentary scrutiny tools such as debates or hearings. Ex-post evaluation is considered to fall under the executive power's competences, including the implementation of EU legislative acts and the evaluation of their impact

[Publications of the Hungarian Parliament on EU policy](#)

[Research capabilities on EU affairs](#)

The Information Service for the Members of Parliament (Infoszolg – [Infoservice](#)) was created in 1991 within the Parliamentary Library. In 2014, it was established as a separate department. It is part of the Directorate of Cultural Affairs, alongside the Library and the Museum of the Parliament.

Its role is to provide the Members of the Hungarian Parliament and their staff with relevant, accurate, impartial and timely information and research. It answers individual requests and supports the work of the Members and their staff with proactive background materials.

The size of the service and the range of services provided have grown over the years. The department currently consists of 18 staff members (a Head, a coordinator and 16 researchers). Each researcher is responsible for keeping contact with a standing committee corresponding to their area of expertise.

The Infoservice addresses around 1 000 analytical requests per year and publishes some 1 300 proactive papers. These can be divided in two main categories: analyses (publicly available online) and background materials (only available internally). Three different [types](#) of analyses exist: information briefings ('infosheets'), 'infotables', and comparative analyses. Background materials have different formats and purposes, as well: weekly media reviews, background materials for hearings, and materials for memorial and anniversary speeches. More details about these products are available in Table 1 below.



Documents produced by the Hungarian Parliament on EU affairs

The National Assembly publishes [verbatim reports](#) of its plenary debates. The same is done for the standing committees, including the [CEA](#).

Table 1 – Selection of Hungarian Parliament's publicly available documents on EU affairs

| Document | Description | Published | Example |
|--|---|--|--|
| Information briefings ('infosheets') | Short briefings (4 pages) on draft bills currently on the agenda or in the focus of current public policy; they include a brief description of the topic, references of the legal framework, political and civil opinions, and statistical data | 2023: 44 2022: 35 2021: 76 2020: 93 2019: 54 | Deepfakes: Technology and law , June 2024 |
| 'infotables' | Infographics providing statistical information on various topics (2 pages); some are also available in interactive format | 2023: 51 2022: 46 2021: 52 2020: 74 2019: 31 | European minimum wages , April 2024 |
| Comparative analyses | Documents analysing and comparing the legislation and practice regarding specific policy issues between different countries (usually EU Member States) | Up to 3/year | Regulations on artificial intelligence , September 2023 |
| Contributions to European political dialogue | Contributions to the informal political dialogue (Protocol 1), or not fulfilling the reasoned opinion criteria (Protocol 2) | 2023: 0 2022: 3 2021: 0 2020: 0 2019: 1 | Communication on EU enlargement policy , March 2023 |
| Reasoned opinions | Opinions on compliance of a draft legislative act with the principles of subsidiarity and proportionality (Protocol 2) | 2023: 1 2022: 1 2021: 0 2020: 5 2019: 0 | Plants obtained by certain new genomic techniques and their food and feed , October 2023 |
| Activity reports | Information and data on the composition and activities of the National Assembly, including on the CEA | Twice a year | Activities of the National Assembly in 2023 |

MAIN REFERENCES

Anglmayer I., Better Regulation practices in national parliaments, EPRS, European Parliament, 2020.

Brack N., The Parliaments of Europe: full part actors or powerless spectators? – A state of play 2010-2020, Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, 2021.

Ilonszki G., 'The Hungarian Parliament and EU Affairs: A Modest Actor Dominated by the Executive' in Heffftler C., Neuhold C., Rozenberg O. and Smith J. (eds), The Palgrave Handbook of National Parliaments and the European Union, Palgrave Macmillan, 2015.

Karamfilova E., Working with national parliaments on EU affairs: An overview (2009-2022), EPRS, European Parliament, September 2023

European Parliamentary Research Service



The Hungarian Parliament and EU affairs (EPRS 10.09.2024)

Source: [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2024\)762351](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2024)762351)

Priority dossiers under the Hungarian EU Council Presidency

INTRODUCTION

Hungary assumed the rotating presidency of the Council of the European Union on 1 July, and will stay in office until 31 December 2024. This is the second time Hungary has played this role, following its first-ever presidency in 2011. Hungary is the last member of the presidency trio made up together with Spain (in the second half of 2023) and Belgium (in the first half of 2024). It will hand the baton over to Poland.

State and government

Hungary (Magyarország) is a parliamentary republic, with a president as head of state and a prime minister as head of government.

The prime minister is elected by the National Assembly (Országgyűlés) and exercises executive power. The current **prime minister** is **Viktor Orbán**, leader of the Fidesz party – formerly EPP-affiliated, and now a member of Patriots for Europe. In 2022, he was elected to the position for the fourth consecutive time, after an earlier stint in office between 1998 and 2002. His predecessor was Gordon Bajnai, head of a minority government up to May 2010.

The Hungarian **president** is **Tamás Sulyok**, a former head of the Constitutional Court.

The National Assembly voted him into office on 26 February 2024, after the early departure of President Katalin Novák, former minister of family affairs in the fifth Orbán government. The president's tasks remain primarily representative, including receiving foreign dignitaries, serving as commander-in-chief of the armed forces and formally nominating the prime minister. The president can also veto legislation or request its review by the Constitutional Court.

Parliament

The Hungarian Parliament is unicameral. It consists of 199 members elected for four-year terms in a mixed system, made up of first-past-the-post voting in single-mandate constituencies and a nationwide proportional contest on closed candidate lists.

The elections on 3 April 2022 resulted in the fourth consecutive two-thirds constitutional majority for the Fidesz-KDNP coalition. Slightly over 2.7 million voters, the highest ever, voted for Fidesz (53 %) while 1.8 million (35 %) voted for the united opposition. Our Homeland Movement, a radical right party, also made it into parliament with 317 000 votes (6.1 %).



Currently there are nine parties in the National Assembly, with German-speaking minorities represented by one member.

Government (135)

- Fidesz-KDNP (Christian Democratic People's Party) coalition
 - Fidesz (*Patriots for Europe in EP*) - 116
 - KDNP (*Patriots for Europe in EP*) - 19

United opposition (57)

- Demokratikus Koalíció (Democratic Coalition, DK) (*S&D in EP*) - 15 members
- Momentum (*Renew Europe, not currently in EP*) - 10 members
- Magyar Szocialista Párt (Hungarian Socialist Party, MSZP) (*S&D, not currently in EP*) - 10 members
- Párbeszéd Magyarországért (Dialogue for Hungary) (*The Greens, not currently in EP*) - 6 members
- Lehet Más a Politika (Politics Can Be Different, LMP) (*The Greens, not currently in EP*) - 5 members
- Jobbik (*non-attached, not currently in EP*) - 8 members

Others

- Mi Hazánk Mozgalom (Our Homeland Movement) (*Europe of Sovereign Nations in EP*) - 6 members
- Municipality of Germans in Hungary - 1 member

The united opposition collapsed after the unexpectedly large defeat. In its post-election report, the international election observation mission of the Organization for Security and Co-operation in Europe (OSCE) [found](#) that the latest Hungarian elections had been well administered and professionally managed but also 'marred by the absence of a level playing field'.

The next parliamentary elections are due to take place in 2026.

European elections

The 2024 **European elections** in Hungary were held in parallel with **local elections** on 9 June. Fidesz-KDNP secured 11 seats in the EP with 44.8 % of the vote (losing two seats), newcomer Tisztelet és Szabadság (Respect and Freedom, TISZA) obtained 7 seats with 29.6 %, and the coalition MSZP-DK-Párbeszéd-Zöldek carried two seats with 8 %, losing two MEPs. EP newcomer Our Homeland Movement gained one MEP with 6.7 % of the vote. While DK continues as a member of the S&D group and TISZA has joined the EPP group, Fidesz-KDNP co-founded a new political group called Patriots for Europe, and the Our Homeland Movement joined Europe of Sovereign Nations, another new formation.

State-of-play

As Hungary assumed the rotating presidency of the Council, roughly [€21 billion of EU funding](#) earmarked for the country had remained locked over breaches of principles of the rule of law (under the [conditionality mechanism](#)), for non-compliance with horizontal conditions for cohesion funds and non-compliance with specific [super milestones](#) for the Recovery and Resilience Plan.

On 13 June, the [European Court of Justice ordered](#) Hungary to pay a lump sum of €200 million, plus a daily fine of one million euros for not changing its policy of handling migrants and asylum-seekers at its border. Hungary has until 17 September to pay the lump sum.

EP conflict with Hungary

The relationship between the Hungarian government of Prime Minister Viktor Orbán and the EU overall, and the EP in particular, has been rocky. In 2018, the [European Parliament initiated an Article 7\(1\) TEU](#) procedure against Hungary over problems it observed in among other things, the

functioning of the constitutional and electoral system, the areas of judicial independence, corruption and conflicts of interest, freedom of expression, academic freedom and minority rights, and fundamental rights of migrants and refugees.

In the following years, the EP adopted a series of resolutions urging the Council to conclude the procedure and, in parallel, criticising decisions taken by the Hungarian government. In a resolution adopted on 5 May 2022, the EP urged incoming presidencies to organise hearings under Article 7(1) TEU 'regularly and at least once per Presidency'. The seventh and last such hearing was held under the Belgian Presidency on 25 June 2024.

In another resolution from 2022, the EP stated that Hungary no longer fulfilled the criteria to be a democracy. A year before the country was to take over the rotating presidency, the EP questioned Hungary's ability to credibly fulfil its task at the helm of the Council. In March 2024, the Parliament decided to sue the Commission over a €10.2-billion payment to Hungary in December 2023, saying it was a breach of the EU executive's obligation to protect taxpayers' money from being misused. At its last plenary session, in April 2024, the ninth legislature adopted a resolution on the state of the rule of law, and pointed to several concerns. (You can find links to recent EP press releases on Hungary in the Annex at the end of this document.)

The Hungarian National Assembly, for its part, adopted a resolution in 2022 stating that it was through representation by national MPs that the 'real political legitimacy' of the EP would be guaranteed. The Prime Minister has repeatedly dismissed the whole of the EU or described 'Brussels' that 'fulfils commands of a globalist elite', as a threat to Hungary's sovereignty. A recent inquiry report adopted by the National Assembly found that the work of Hungarian 'left wing MEPs' 'injures the interests of Hungarian people'. The report provides an itemised list of all contributions, in speech or writing, of these named MEPs as well as of all EP resolutions related to Hungary.

POLITICAL PRIORITIES OF THE HUNGARIAN PRESIDENCY

The [Hungarian Presidency](#) of the Council of the EU presented its [programme](#) on 18 June 2024. The [motto](#) of the Presidency is 'Make Europe Great Again', accompanied by a logo depicting a Rubik's cube. The tasks of the Presidency during its tenure are influenced by the nature of this period, when the results of the elections translate into a new European Parliament and new leadership for the European institutions. In the EP, committees needed to be set up, rapporteurs have to be reconfirmed or newly appointed, and a decision on unfinished business needs to be taken before the EP can resume its legislative work, including interinstitutional negotiations.

In its programme, the Presidency pledged to assume the role of honest broker, working loyally with all Member States and institutions. At the presentation of the programme, the Minister for European Affairs, János Bóka, added that Hungary intended to launch initiatives that are 'based on its political vision that represents clear alternatives for the EU'. Beyond its intention to inject new ideas, the Presidency's work is also defined by the [18-month Programme of the Council](#) prepared jointly by the Spanish, Belgian and Hungarian Presidencies and entitled 'Taking forward the Strategic Agenda', and by the new [2024–2029 Strategic Agenda](#) adopted by the Council in June 2024.

Seven priority areas

Hungary's priorities partly overlap with the Strategic Agenda (competitiveness, defence) and the trio programme but its approach is idiosyncratic in places. It does not list among the priorities climate action, equal opportunities, and democracy (including rule of law), three issues that figured prominently previously for its trio partners Spain and Belgium.

Defence

For the EU to be able to guarantee its own security, the Presidency will work primarily to strengthen military capacities, boost defence research and innovation, and enhance procurement cooperation among Member States.

Enlargement

The Presidency wants enlargement to be 'consistent and merit-based', with the integration of the **Western Balkans** as its focus. It will organise a Western Balkans Summit, and proposes gradually allowing these candidate countries to participate in certain EU programmes, such as the Single European Payment System, as mentioned by Bóka during the programme presentation. On **Ukraine**, the Presidency would continue the work based on the previous decisions and guidelines set by the European Council. The Minister added that the Presidency did not expect to open negotiating chapters with Ukraine or **Moldova** during its six-month tenure, due to required procedural steps. On 25 June 2024, the EU opened accession negotiations with these two countries.

Migration

The focus is exclusively on what this Council Presidency refers to as 'illegal' (i.e. irregular) migration and stemming its flow, in line with [Minister for Foreign Affairs Péter Szijjártó's earlier remarks](#) on the need for a 'sharp political change so that the EU does not attract but stops illegal immigrants'. The Presidency envisages further agreements on combatting irregular migration, with third countries such as **Mauritania**, **Senegal** and **Chad**. As one of its international development cooperation goals, the Presidency seeks to address the root causes of migration to discourage departures toward the EU. It also wishes to find innovative solutions to 'opportunities for abuse' of the Common European Asylum System, and strengthen EU-financed border protection. (For legislative activity, please see the next chapter.)

Cohesion

The Hungarian Presidency aims to hold a strategic debate on the future of cohesion policy, stressing that more than a quarter of the EU population still lives in regions where the development level has not reached 75 % of the EU average. Hungary has been one of the main beneficiaries of the policy.

Agriculture

In Council discussions on the common agricultural policy for the period after 2027, the Presidency intends to shape the policy to be more attuned to farmers' needs, aiming for a 'farmer-friendly regulatory framework'. It seeks a rational balance between the requirements of the Green Deal, the stabilisation of markets and decent living standards for farmers.

Competitiveness

The overarching priority of the Presidency is to make the EU more competitive on the global stage. It seeks to adopt a New European Competitiveness Deal which manifests itself in several sectoral policies.

Demography

The Presidency wants to raise awareness of the challenges stemming from declining populations, and demographic considerations surface throughout its programme. Turning around the trend that leads to budget problems and labour shortages is essential for competitiveness as well, states the programme.

Other areas

In **external** policies, the Presidency seeks to give new impetus to the **EU-Türkiye** political dialogue. On **China**, it suggests a 'pragmatic and balanced approach. Szíjjártó [recently praised China's](#) commitment to peace, and endorsed the Brazil-China peace plan for Ukraine as a potential basis for a ceasefire and peace talks.

The Presidency will organise an **EU-Israel** Association Council meeting as well as the second session this year of the **European Political Community**.

In the field of international **trade**, the Presidency does not mention the conclusion of any specific free trade agreement among its main ambitions, but it demonstrates interest in nurturing trade ties, in particular with ASEAN countries. The Presidency will work to avoid escalation of trade tensions, intends to look into the impact of restrictive measures on trade, and to evaluate the implementation of EU investment protection measures.

Concerning democracy and **rule of law**, a priority under the Strategic Agenda as well as the trio programme, the Hungarian Presidency is set to organise further country-specific debates. At its own initiative, the Presidency will also explore how to monitor whether the rule of law is respected by European institutions themselves, including through focusing on the work of the recently established Interinstitutional Ethics Body.

The Presidency programme also includes **fighting antisemitism** and fostering Jewish life, the promotion of rights protections for **national minorities**, encouraging **media literacy** for youth, pursuing a regular dialogue with **historic churches**, and, in the wake of the Summer Olympic Games in Paris, an overview of the **legacy of major sporting events**.

Legislative work

Once the actors in charge of legislation are in place on all sides, the Hungarian Presidency will restart legislative work and - where positions of both the EP and the Council are available - interinstitutional

(trilogue) negotiations. A [draft agenda](#) for Council meetings planned by the Presidency was published on 24 June 2024. The Hungarian Presidency expects to work on the following files.

Economy, finance, budget

The Presidency wishes to continue with the digital and green transitions, while substantively improving the EU's competitiveness in the field of economic and financial affairs. In finance, it intends to advance negotiations on the Capital Markets Union, including on the [retail investment framework](#), start talks on the three remaining files of the [crisis management and deposit insurance framework](#) and the [European Deposit Insurance Scheme](#) (EDIS) – the latter now nine years in the making. The Hungarian team also considers it important to organise Council discussions on proposals on the [payment services package](#), [financial data access](#) and the [Late Payment Directive](#) (general approach envisaged for 28-29 November) – on these subjects, Parliament has already adopted its positions – and the establishment of a [digital euro](#) as well, on which the EP has yet to fix its position. While work on [Union Customs Code](#) files is included in the programme, no negotiations with Parliament are expected. The Presidency wants to progress on [insolvency](#) proceedings (the draft agenda envisages a negotiating position for 12-13 December), taxation files, and the remaining five texts without a Council position among the six elements of the [EU patent package](#).

On the pending Council legislation replenishing the own resources of the EU budget, the Presidency programme expects to examine the [Commission's proposal](#). The Presidency will, in turn, work with the EP and the Commission to agree the [2025 annual budget](#).

Agriculture, environment and health

In the area of agriculture, the Hungarian Presidency expects to negotiate within Council on a general approach on [new genomic techniques](#), [animal transport](#) and with the EP on the [welfare of cats and dogs](#). It pencilled in agreement on general approaches on concrete dates for [forest reproductive materials](#) (21-22 October) and for [monitoring resilient forests](#) (9-10 December). The Presidency also wants to make progress on the upcoming Commission proposal on changes to the Common Market Organisation Regulation, in reaction to farmer protests.

The Presidency will carry forward environmental legislation while not losing sight of economic competitiveness. Its main areas of interest are climate policy, biodiversity, circular economy and pollutants. It will start or continue trilogue negotiations on the [Green Claims Directive](#), the regulation on [vehicle end-of-life](#), the [Waste Framework Directive](#), the [CountEU Emission Regulation](#), reducing [microplastics](#) (with a Council position pencilled in for 17 December) [water pollution](#) and [soil restoration](#). During its tenure, the Presidency will also shepherd Council conclusions for the autumn United Nations' COP16 on biodiversity and COP29 on climate change.

In the field of health, the Presidency will primarily focus on establishing the Council general approach on the pharmaceutical package ([regulation](#) and [directive](#)) on 3 December.

Migration

The Hungarian Presidency has on its desk several files not resolved by April 2024, when the asylum and migration pact was adopted. Although it calls for enforcement of return decisions, it does not specifically mention aiming for talks on the stalled [Return Directive](#). In turn, it intends to conclude negotiations on the [visa suspension mechanism](#), with a concrete decision on [Vanuatu](#) coming up. It also wished to arrive at a Council position on the prevention of [smuggling of migrants](#) on 12-13 December 2024. Hungary is currently under an [infringement procedure](#) for the release of such smugglers in large numbers.

The Presidency did not include any work in its programme on pending files on legal migration, including policies on [long-term EU residents](#) of third-country origin.

Justice and cybercrime

In justice and cybercrime matters, the Presidency pledges to nudge forward the work on combatting [child sexual abuse](#) (with ambition to fix the Council's negotiating position on 12-13 December) and [child sexual abuse online](#). It will aim to arrive at a general or partial approach on [victim protection](#), the [protection of vulnerable adults](#) and digitalisation of travel documents (the latter two planned for 12-13 December, although the Commission has not yet presented the proposal on travel documents) and advance on [anti-corruption](#) work. The Presidency will organise discussions in preparation for a review of the Cybersecurity Act, and continue the dialogue on protecting the electoral system from foreign interference.

Transport and tourism

The Presidency set out a busy schedule in the area of **transport**. It is preparing to negotiate, among others, proposals for the [Railway Infrastructure Capacity Regulation](#), [river information services](#) and [driving licences](#), while already envisages reaching Council negotiating positions on 5 December on a series of proposals on [passenger rights regulations](#), and directives on [driving disqualifications](#) and [combined transport](#).

The Presidency wishes to 'increase the role of family-friendly, multi-generational **tourism**', and hopes to arrive at a general approach to start negotiations with the EP on the [Package Travel Directive](#).

Employment and social policy

The Presidency considers labour shortage as the greatest **employment** challenge in the EU today. Legislatively it will focus on moving forward on the directive on [European Works Council](#) and arriving at a Council negotiating position on the [traineeship package](#) at a Council meeting on 2-3 December. It also intends to work on two proposals from the Commission, should they arrive before the end of the Hungarian Presidency: the directives on the right to disconnect, and on occupational safety limits for carcinogenic materials. In **social policy**, the Hungarian negotiators will discuss [social policy coordination](#), initially tabled in 2016, but no Council general approach is envisaged in the draft agenda.

Stalled files

The Hungarian Presidency signalled its readiness to proceed, albeit only under favourable conditions, on other files that stalled during the previous legislature or earlier, including on the [Generalised System of Preferences](#) trade tool and the [Equal Treatment Directive](#). On the latter, it aims at reaching a general approach by 2-3 December.

ANNEX

Press releases on plenary resolutions on Hungary (2018 - 2024)

- [Rule of law in Hungary: Parliament calls on the EU to act](#) (12.9.2018)
- [Rule of law in Poland and Hungary has worsened](#) (16.1.2020)
- [Hungary's emergency measures: MEPs ask EU to impose sanctions and stop payments](#) (14.5.2020)
- [European Parliament vehemently opposed to Hungarian anti-LGBTIQ law](#) (8.7.2021)
- [Hungary and Poland plans should be approved only if concerns are addressed](#) (6.10.2021)
- [MEPs demand more EU action to protect common values in Hungary and Poland](#) (5.5.2022)
- [MEPs: Hungary can no longer be considered a democracy](#) (15.9.2022)
- [Parliament insists that the EU must freeze funding to Hungary \(24.11.2022\)](#)
- [Spyware: MEPs sound alarm on threat to democracy and demand reforms](#) (8.5.2023)
- [Hungary: MEPs denounce deliberate and systematic efforts to undermine EU values](#) (1.6.2023)
- [Spyware: MEPs call for full investigations and safeguards to prevent abuse](#) (5.6.2023)
- [Frontex: MEPs want an effective border agency compliant with fundamental rights](#) (26.10.2023)
- [Fundamental rights report finds threats to key freedoms, equality and dignity](#) (18.1.2024)
- [The Hungarian government threatens EU values, institutions, and funds, MEPs say](#) (18.1.2024)
- [Parliament calls for action against the erosion of EU values in member states](#) (28.2.2024)
- [Rule of Law in Hungary: Parliament condemns the "Sovereignty Act"](#) (24.4.2024)

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ODIHR Report (3 April 2022) *



Office for Democratic Institutions and Human Rights

HUNGARY

PARLIAMENTARY ELECTIONS AND REFERENDUM

3 April 2022

ODIHR Election Observation Mission Final Report



Warsaw
29 July 2022

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HUNGARY
PARLIAMENTARY ELECTIONS AND REFERENDUM
3 April 2022
ODIHR Election Observation Mission Final Report¹

I. EXECUTIVE SUMMARY

Following an invitation from the Ministry of Foreign Affairs and Trade of Hungary to observe the 3 April 2022 parliamentary elections and referendum, in accordance with its mandate and based on the recommendation of a Needs Assessment Mission (NAM), the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 24 February. The ODIHR EOM assessed the compliance of the elections and referendum processes with OSCE commitments and other standards for democratic elections, as well as with domestic legislation. For election day, the ODIHR EOM joined efforts with a delegation from the OSCE Parliamentary Assembly (OSCE PA) to form an International Election Observation Mission (IEOM).

In its Statement of Preliminary Findings and Conclusions issued on 4 April, the IEOM concluded that the elections and referendum “were well administered and professionally managed but marred by the absence of a level playing field. Contestants were largely able to campaign freely, but while competitive, the campaign was highly negative in tone and characterized by a pervasive overlap between the ruling coalition and the government. Candidate registration was inclusive, offering voters distinct alternatives. The lack of transparency and insufficient oversight of campaign finances further benefited the governing coalition. The bias and lack of balance in monitored news coverage and the absence of debates between major contestants significantly limited the voters’ opportunity to make an informed choice. The manner in which many election disputes were handled by election commissions and courts fell short of providing effective legal remedy. Women were underrepresented in the campaign and as candidates. Contrary to established international good practice, the legal framework for the referendum does not guarantee equal opportunities to campaign and voters were not informed in an objective and balanced manner on the choices presented to them nor on their binding effect. IEOM observers assessed all stages of the election-day process positively in the overwhelming majority of polling stations observed and noted few procedural problems and violations, mostly related to voter secrecy and the transparency of the tabulation process.”

The electoral legal framework provides an adequate basis for the conduct of democratic elections but contains a number of omissions and key provisions that fall short of international standards and obligations, undermining its effectiveness and at times leading to legal uncertainty, mostly related to campaign rules and provisions for a level playing field. The 2020 amendments to the election laws introduced some positive technical changes and clarifications; however, the draft amendments were not publicly available, contrary to the law, and the process lacked genuine consultation with relevant stakeholders. Many prior ODIHR recommendations largely remain unaddressed, including on suffrage rights, prevention of the misuse of administrative resources and blurring of state and party functions, media freedom, campaign finance, and citizen observation.

The referendum legal framework is largely inadequate and does not provide for a level playing field for referendum campaigns, falling short of key recommendations under international good practice. Under a 2018 amendment, the government has full campaign rights when it is the initiator of a referendum, contrary to international good practice. Further, the authorities are not obliged to provide the electorate with objective information on the referendum issues or the positions of the proponents and opponents, challenging voters’ ability to make an informed choice. While positive efforts were made to amend legislation to harmonize administrative matters for the concurrent holding of the referendum and

¹ The English version of this report is the only official document. An unofficial translation is available in Hungarian.

elections, the holding of simultaneous campaigns led to legal ambiguities, particularly with regard to campaign rules.

The 199 members of parliament were elected under a mixed electoral system: 106 were elected in single-mandate constituencies by first-past-the-post voting, and 93 from closed candidate lists in a nationwide proportional contest, with varying thresholds for parties and coalitions. A key 2020 amendment to election legislation substantially increased the number of single-mandate candidates that parties need to nominate in order to contest in the national proportional contest, which some ODIHR EOM interlocutors considered as an undue barrier to participation. Contrary to international good practice, the legislation allows up to a 20 per cent deviation from the average number of voters per single-mandate constituency and contrary to national legislation, the parliament did not revise the boundaries of constituencies that exceeded the established deviation limit following the 2018 elections. The unequal voter distribution amongst the constituencies, with up to a 33 per cent deviation, challenges the principle of equality of the vote.

A referendum is deemed valid if more than 50 per cent of all registered voters cast valid ‘yes’ or ‘no’ ballots. The 3 April referendum was proposed by the government and after judicial review included four questions related to the so-called ‘child protection’ law. While by law the results of all valid referendums are binding, the legal effect of the 3 April referendum was unclear, as the law which is the legislative basis of the issues put to the referendum was already in force, at odds with international good practice.

The parliamentary elections and the referendum were managed by a four-tier structure of election administration headed by the National Election Commission (NEC). A parallel structure of election offices, headed by the National Election Office (NEO), was responsible for the technical administration of the elections and for aiding the respective commissions in their decision-making process. Overall, the election administration managed technical preparations professionally and efficiently and met all legal deadlines. NEC sessions were open to the public, and decisions were published in a timely manner. However, the election administration did not enjoy the full confidence of all electoral contestants, particularly at the higher level, due to concerns over the dominance of appointees of the ruling majority in its bodies. Furthermore, most election commission sessions lacked genuine deliberations and were limited to voting on pre-drafted decisions, especially before the party-delegated members joined, diminishing the collegiality and transparency of the decision-making.

Some 8.22 million voters were included in the voter register, which is maintained by the NEO. The law contains restrictions on electoral rights based on intellectual disability and distinctions in suffrage rights based on marital status, at odds with international standards. Political parties and civil-society organizations (CSOs) that the ODIHR EOM met with expressed overall confidence in the accuracy of the voter register, and the NEO’s efforts to publish detailed voter registration figures on a weekly basis increased transparency of the register. While voter registration figures per constituency for these elections did not increase substantially, a November 2021 amendment which redefined residency and eased requirements for civil registration weakened safeguards against manipulation of voter registration.

In an inclusive process, the NEC registered 55 nominating organizations, including 12 minority self-governments, from which six national proportional lists with a total of 1,035 candidates were registered. Constituency Election Commissions registered 663 candidates for elections in the 106 single-mandate constituencies. Less than 20 per cent of all candidates were women, significantly limiting the opportunity for strengthening the low representation of women in national politics in Hungary. The process of collecting support signatures for single-mandate constituency candidates was marred by numerous instances of fraudulent signatures and personal data misuse by some contestants. The election

administration's efforts to address these violations were not sufficient, dismissing most of the related complaints on formal grounds.

Fundamental freedoms of association and assembly in the campaign were generally respected, and election participants were largely able to campaign freely. However, the campaign was marked by the absence of a level playing field, characterized by a pervasive overlap between the ruling coalition's campaign messages and the government's information campaigns, giving an advantage to the ruling coalition and blurring the line between state and party. In a highly negative campaign, the war caused by the Russian Federation's invasion of Ukraine featured prominently, with the ruling and opposition parties criticizing one another's stance and launching personal attacks. The ODIHR EOM received claims that, mainly in rural areas, opposition campaign activities were hindered by pressure on voters, often by local mayors, not to attend opposition events. The sending of emails and text messages with campaign messages led to allegations of the misuse of voters' personal data by the government, the ruling party and the United for Hungary opposition coalition. Referendum issues featured in the campaign only to a limited extent.

Campaign finance legislation remained largely unchanged since the 2018 parliamentary elections, and recent amendments did not address longstanding recommendations by ODIHR and the Council of Europe's Group of States against Corruption (GRECO). The law does not provide for disclosure of campaign donations, which maintains the opacity of campaign funding, at odds with international commitments and good practice. Extensive spending through third party entities, which largely favored the ruling party, rendered spending limits ineffectual. Substantial sums were spent on Facebook advertising, led by third-party entities associated with *Fidesz*. The State Audit Office is mandated with campaign finance oversight and has the power to verify the information submitted to it but lacks the investigative capacity to ascertain actual campaign spending. No direct public funding is provided for referendum campaigns, and there is no referendum spending limit, which further weakens safeguards for a level playing field. Overall, the legislative shortcomings and limited enforcement of the regulatory framework negatively affected transparency and accountability of campaign finances.

For these elections, all national minority self-governments except for the Roma minority submitted candidate lists. Both the ruling party and United for Hungary had Roma candidates in high positions on their respective proportional lists. While several interlocutors raised longstanding concerns about potential election violations in relation to the Roma community, including vote-buying and possible pressure by mayors connected to public employment programmes, the EOM did not directly observe such instances. The ODIHR EOM observed instances of negative campaign rhetoric stigmatizing Roma.

The media are divided along political lines and operate in an increasingly concentrated market, with only a handful of independent media operating at the national level. The government and state-affiliated companies dominate the advertising market. Extensive government advertising campaigns and biased news coverage in the public and many private media monitored by the ODIHR EOM provided a pervasive campaign platform for the ruling party. For other parties, the campaign opportunities in the media were significantly limited by the scarce allocation of free airtime by only a few media as well as the constitutional prohibition on paid political advertisement, applicable to all political parties. The lack of impartial information in the media about the main contestants, the absence of debates among the major electoral competitors, and the independent media's limited access to public information and activities of national and local government significantly limited voters' opportunity to make an informed choice.

The legal framework provides opportunity to seek legal remedy for election disputes on an expedited basis; however, a recent amendment that restricts the legal standing to appeal decisions of election commissions unduly limits the right to seek effective legal remedy. The NEC considered complaints

and appeals in public sessions within established deadlines and promptly published its decisions, contributing to the transparency of the process. Half of the filed complaints and appeals were denied consideration by the NEC on technical grounds, and some dismissals on merit lacked necessary examination or sound reasoning. While some election disputes were adequately resolved, the handling of most cases by the adjudicating bodies fell short of providing effective legal remedy, contrary to OSCE commitments.

The law provides for international election observation at all stages of the process, and the accreditation process for international observers was efficient. However, despite repeated ODIHR recommendations, it does not allow for observation of the election process by citizen observers, contrary to OSCE commitments and international standards. A civil-society initiative delegated more than 19,000 volunteers to act as party-delegated polling station members across the country. CSOs also provided civic awareness and voter-education campaigns, and election-day monitoring in the vicinity of polling station aimed at preventing irregularities. Party observers could observe the tabulation process at constituency and national level and the counting of postal votes.

IEOM observers assessed all stages of the election day process positively in the overwhelming majority of polling stations observed. Election day was peaceful, with a voter turnout of 69.5 per cent, as announced by the NEO. The opening was assessed positively in 116 of the 117 polling stations observed by IEOM observers and opening procedures were largely followed. Voter identification and voting procedures were largely respected, but secrecy was often compromised. Overcrowding and group voting was frequently observed. IEOM observers reported only isolated cases of other violations or instances of tension or intimidation in and around polling stations. Counting procedures were largely followed, and IEOM observers reported relatively few procedural errors and omissions. The tabulation procedures at Local Election Offices (LEOs) were generally followed but in some cases, transparency related to access to the premises and to data entry was lacking. IEOM observers noted some minor issues with the data entry and reconciliation of election results. A total of 456,129 out-of-country voters were eligible to cast postal ballots, out of which 318,083 voters (69.7 per cent) returned their packages. Other out-of-country voters had to cast their ballots in-person in Hungarian diplomatic representations. The differing modalities for out-of-country voting challenged the principle of equal suffrage, and the postal voting procedures do not include adequate safeguards to ensure the integrity and reliability of the process.

The NEC on 14 April announced the final election and referendum results. Some 16 per cent of returned postal voting packages were declared invalid due to voters not being on the register, or missing or incorrect data. The referendum was declared invalid as none of the four questions reached the required threshold of 50 per cent of registered voters casting a valid vote; 20 per cent of referendum ballots cast were invalidated by the voters or otherwise found invalid. The NEC issued fines against CSOs that had encouraged voters through social media and online websites to invalidate their referendum ballots. On appeal, the Supreme Court overturned these decisions, on grounds that they unlawfully curtailed freedom of expression, which the court reasoned should be protected at a higher level during a campaign period.

This report offers a number of recommendations to support efforts to bring elections in Hungary closer in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations relate to the legal framework, the separation of state and ruling party and misuse of state resources, voter registration, campaign finance, the adjudication of electoral disputes, the media, election observation, and the delimitation of constituency boundaries. ODIHR stands ready to assist the authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

II. INTRODUCTION AND ACKNOWLEDGMENTS

Following an invitation from the Ministry of Foreign Affairs and Trade of Hungary to observe the 3 April 2022 parliamentary elections and referendum, in accordance with its mandate and based on the recommendation of a Needs Assessment Mission (NAM) conducted from 17 to 21 January, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) established an Election Observation Mission (EOM) on 24 February. The mission, led by Jillian Stirk, consisted of a 20-member core team based in Budapest and 18 long-term observers (LTOs) deployed on 5 March to eight locations around the country. Mission members came from 18 OSCE participating States. The ODIHR EOM remained in country until 14 April.

For election-day observation, an International Election Observation Mission (IEOM) was formed as a common endeavour of the ODIHR EOM and a delegation of the OSCE Parliamentary Assembly (OSCE PA). Kari Henriksen was appointed by the OSCE Chairperson-in-Office as Special Co-ordinator and leader of the OSCE short-term observers. The OSCE PA delegation was led by Mark Pritchard. Each of the institutions involved in the IEOM has endorsed the 2005 Declaration of Principles for International Election Observation. On election day, 312 observers from 45 OSCE participating States were deployed, including 221 observers deployed by ODIHR, as well as a 91-member delegation from the OSCE PA; 47 per cent of the IEOM members were women.

The ODIHR EOM assessed the compliance of the elections and referendum processes with OSCE commitments and other standards for democratic elections, as well as domestic legislation. This final report follows a Statement of Preliminary Findings and Conclusions, which was released on 4 April 2022.²

The ODIHR EOM wishes to thank the Ministry of Foreign Affairs and Trade for the invitation to observe the elections and referendum, and the National Election Commission (NEC) and the National Election Office (NEO) for their assistance and co-operation. It also expresses its appreciation to other national and local state institutions, political parties, candidates, civil society, media, international community representatives, and other interlocutors for sharing their views and for their co-operation.

III. BACKGROUND AND POLITICAL CONTEXT

Hungary is a parliamentary republic, with legislative powers vested in a unicameral parliament. The government, led by the prime minister, exercises broad executive powers. On 11 January 2022, then-President János Áder called parliamentary elections for 3 April.³ The same day, the President also set the date for a referendum on matters addressed by the so-called ‘child protection’ law to be held concurrently with the parliamentary elections.⁴ A state of danger, introduced in Hungary following the outbreak of the COVID-19 pandemic, remained in force throughout the election period.⁵

Since coming to power in 2010, *Fidesz* – Hungarian Civic Alliance, with its coalition partner, the Christian Democratic People’s Party (KDNP), has held a two-thirds parliamentary majority for most

² See previous ODIHR election observation [reports](#) on Hungary.

³ On 10 March 2022, in anticipation of the end of Mr. Áder’s second five-year term in May 2022, the parliament elected Katalin Novák, former Vice-President of Fidesz, as the next president, the first female president of Hungary.

⁴ The Law on Stricter Measures against Pedophile Offenders and Amending Certain Laws to Protect Children was adopted on 15 June 2021. The Council of Europe’s European Commission for Democracy through Law (Venice Commission) [Opinion](#) from 13 December 2021 found the law incompatible with international human rights norms.

⁵ The state of danger, introduced in Hungary following the outbreak of the COVID-19 pandemic, was in place throughout the election period (extended until 1 June 2022).

of the period.⁶ Some of the significant legislative changes initiated by the ruling majority have led to infringement procedures against Hungary by the European Commission (EC).⁷ After the adoption of the so-called ‘child protection’ law in June 2021, the EC initiated a legal action against Hungary for violations of the fundamental rights of LGBTI people, following which Prime Minister Viktor Orbán announced his intention to call a referendum.⁸

Women are generally underrepresented in public life in Hungary, and only twenty-six out of 199 MPs in the outgoing parliament (13 per cent) and 2 out of 13 government ministers were women. On 10 March 2022, in anticipation of the end of Mr. Áder’s second five-year term in May 2022, the parliament elected Katalin Novák, nominated by *Fidesz*, as the next president, the first female president of Hungary. Following 2022 elections, only twenty-eight MPs and one of the government ministers are women.

The ruling coalition contested in the elections with Prime Minister Viktor Orbán as its joint prime ministerial candidate. For these elections, six opposition parties, the Democratic Coalition (DK), *Jobbik*, the Hungarian Socialist Party (MSZP), Momentum, the LMP – Hungary’s Green Party, and Dialogue, agreed to back a joint prime ministerial candidate. They also agreed to support a single candidate in each of the 106 single-mandate constituencies, and to put forward a joint list for the proportional component. In primary elections held in September and October 2021, the mayor of Hódmezővásárhely Péter Márki-Zay, was chosen as the prime ministerial candidate for the United for Hungary opposition bloc. Other election contestants included the Our Homeland Movement, the Hungarian Two-Tailed Dog Party, the Normal Life Party, and the Solution Movement.

IV. LEGAL FRAMEWORK

The Constitution provides for fundamental rights and freedoms, and Hungary is party to key international human rights treaties and conventions pertinent to democratic elections.⁹ These rights and freedoms are exercised in a constrained environment. Media freedom, freedom of association,

⁶ In the 2018 parliamentary elections, the *Fidesz*–KDNP coalition won 133 out of 199 seats; *Jobbik* won 26; the Hungarian Socialist Party (MSZP) in coalition with Dialogue won 20; the Democratic Coalition (DK) won 9; Politics Can be Different (LMP; the party was renamed to LMP – Hungary’s Green Party in 2020) won 8 seats, the Together party won one seat, and there was one independent. The National Self-government of Germans in Hungary won one seat from the minority list component.

⁷ In June 2020, the European Court of Justice (ECJ) [ruled](#) that a 2017 law restricting foreign funding of civil-society organizations did not comply with EU law. In April 2021, parliament revoked the law. In November 2021, the ECJ [found](#) the so-called ‘stop Soros law’, which criminalizes participating in organized assistance to illegal immigrants, to be in violation of EU law. On 16 February 2022, the ECJ [rejected](#) a challenge by Hungary to a European rule conditioning funding on respect for the rule of law.

⁸ The EC initiated [infringement procedures](#) on 15 July 2021. Mr. Orbán in an interview on 23 July 2021 [stated](#) that “we need the referendum [...] because Brussels attacked Hungary... We need everyone, the support of every Hungarian person, otherwise we cannot win this battle.”

⁹ These include the [1966 International Covenant on Civil and Political Rights \(ICCPR\)](#), [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#), [1965 International Convention on the Elimination of All Forms of Racial Discrimination](#), [2003 Convention against Corruption](#), [2006 Convention on the Rights of Persons with Disabilities](#), and [the 1950 European Convention on Human Rights](#).

particularly for civil-society organizations (CSOs),¹⁰ and access to information have been restricted in recent years,¹¹ and safeguards for judicial independence have been weakened, including by recent legislative changes.¹² Such limitations undermine international obligations and standards calling for full enjoyment of fundamental rights and freedoms.¹³ Under the declared state of danger in force during the election period, the government held extraordinary powers to issue decrees, including ones that may restrict or suspend certain fundamental rights and freedoms.¹⁴ While most pandemic-related restrictions had been lifted prior to the elections, including on freedom of assembly, a decree extending the deadline for the government to respond to access-to-information requests remained in force (see *Media*).

To provide a fully democratic basis for the conduct of elections and conditions that enable full and equal participation for all election stakeholders, parliament should review the broader legal framework for compliance with international obligations and standards pertinent to fundamental rights and freedoms that underpin a democratic election, including on judicial independence.

Parliamentary elections are primarily regulated by the 2011 Fundamental Law (Constitution), the 2011 Act on the Elections of Members of Parliament (Elections Act), the 2013 Act on Election Procedure, and the 2013 Act on the Transparency of Campaign Costs (Campaign Finance Act).¹⁵ Some election law provisions of an administrative nature have cardinal status requiring two-thirds parliamentary approval, thereby limiting parliament's ability to effectively respond to necessary operational modifications. The electoral legal framework includes binding regulations issued by the Minister of Justice, though the elections were held largely without subsidiary legislation.¹⁶ The Supreme Court may, on its own initiative, render binding decisions to ensure the uniform application of law within the judiciary.¹⁷

¹⁰ The Joint ODIHR and Venice Commission [Opinion](#) on the so-called “Stop Soros” draft legislative package which directly affect NGOs criticizes a key provision on illegal migration which introduces the offence of “facilitating irregular migration”, and considers that it unfairly criminalises organisational activities not directly related to the materialization of illegal migration, including “preparing or distributing informational materials” or “initiating asylum requests for migrants.” The 16 November 2021 [Judgement](#) of the European Court of Justice stated that by criminalising organising activities in relation to the initiation of a procedure for international protection by persons not fulfilling the national criteria for granting that protection, Hungary infringed the EU law.

¹¹ In 2020, in addition to defamation and libel, which were already criminalized, amendments to the Criminal Code introduced the offence of fearmongering, which effectively bans intentionally spreading misinformation that hinders the government response to the pandemic, subject to a maximum five-year prison term. Concurrent with the 2021 repeal of a law restricting foreign funding of CSOs due to a finding by the ECJ on its non-compliance with EU law, the parliament enacted the Act “on transparency of civil society organizations capable of influencing public life”.

¹² The [Opinion](#) of the Venice Commission on the 2019–2020 amendments concerning the judiciary stated that the changes “could pose serious risks of politicization [of the Supreme Court] and important consequences for the independence of the judiciary.”

¹³ Paragraph 8 of [General Comment No. 25](#) to Article 25 of the ICCPR notes that “citizens also take part in the conduct of public affairs by exerting influence through public debate and dialogue with their representatives or through their capacity to organize themselves.” See also Articles 19, 21, 22, and 25 of the ICCPR. Further, see Paragraph 19 of [General Comment No. 34](#) to Article 19 of the ICCPR. See also paragraphs 20–25 of the ODIHR and Venice Commission [Joint Guidelines on Freedom of Association](#).

¹⁴ Decrees issued by the government under the state of danger can remain in effect after 15 days with the approval of parliament. The *de facto* indefinite rule by decree in Hungary’s COVID-19 response was noted by the [OSCE’s Parliamentary Assembly in April 2020](#) as “a dangerous step that undermines democracy in the country.”

¹⁵ Other relevant legislation governs political party finances, the rights of national minorities, the media, citizenship and civil registration, criminal offences, and court proceedings.

¹⁶ On 11 January 2022, the Minister of Justice issued three decrees regulating the administration, timelines and financing of the 2022 elections and referendum. The National Election Commission (NEC) may issue non-binding guidelines to ensure uniform application of the legislation by election bodies, but the NEC does not have authority to issue binding regulations under the law. Fourteen NEC guidelines, adopted between 2014 and 2019, are in effect.

¹⁷ Despite certain ambiguities in the election legislation, the court’s body of uniformity decisions does not include matters related to election law.

Consideration could be given to reviewing the use of cardinal status for election law provisions. To enhance legal certainty and contribute to consistent application of the election legislation, the National Election Commission could be empowered to adopt binding regulations. In addition, the Supreme Court could consider exercising its power to issue key uniformity decisions with respect to the application of election-related legislation.

The electoral legal framework forms an adequate basis for the conduct of democratic elections; however, it contains a number of omissions and provisions that fall short of international standards and obligations, undermining its effectiveness. The legal framework underwent a series of amendments following the 2018 parliamentary elections.¹⁸ The most recent substantive changes were proposed by the government and adopted in 2020, in one package of amendments to seven laws. These related to a range of election-administration matters and also included a key change to political parties' eligibility to contest the proportional part of the elections (see *Election and Referendum Systems*).¹⁹ In breach of the law and international standards, the draft legislation was not published by the government with invitation for comments.²⁰ Moreover, its adoption lacked genuine consultation with relevant stakeholders, contrary to international commitments and good practice.²¹ The lack of consultation and hasty adoption drew criticism from the opposition and civil society, while certain provisions were perceived by some to be politically motivated.²²

While the 2020 amendments introduced a number of positive technical changes and clarifications, aspects of some new provisions raise concerns, as also noted in a Joint Opinion of ODIHR and the Council of Europe's European Commission for Democracy Through Law (Venice Commission).²³ The amendments did not address a number of previous ODIHR recommendations to

¹⁸ Amendments to the Elections Act and/or Act on Election Procedure, as well as other relevant acts, were adopted in July 2018, December 2018, December 2019, December 2020, and November 2021. Apart from one single amendment adopted in 2021, all amendment packages passed in parliament without opposition support or an inclusive stakeholder consultation process.

¹⁹ The National Election Office (NEO) informed the ODIHR EOM that the election-administration amendments were largely based on its proposals, stemming from lessons learned in prior elections.

²⁰ The Act on Social Participation in Preparing Laws requires drafts prepared by government ministers to be available to the public for comment for a period sufficient to make the necessary evaluation and to review any feedback prior to submission to parliament. The ODIHR and Venice Commission [2021 Joint Opinion](#) on 2020 Amendment to Electoral Legislation stated that "The whole package was adopted by Parliament a few weeks later, apparently without public consultation, and came into force after one week only, with a few exceptions concerning constitutional amendments."

²¹ Paragraph 5.8 of the [1990 OSCE Copenhagen Document](#) states that the legislation should be adopted at the end of a public procedure. Paragraph 18.1 of the [1991 Moscow Document](#) states that "Legislation will be formulated and adopted as the result of an open process reflecting the will of the people, either directly or through their elected representatives". Paragraph 48 of the [2020 Joint Guidelines on Political Party Regulation](#) also specifically recommend that "[l]egislation shall be adopted through a democratic process that ensures public participation and review, and shall be made widely accessible so that individuals and political parties are aware of their rights and are able to keep their conduct and activities in conformity with the law." The Ministry of Justice informed the EOM that they considered the views of the civil society sector to be aligned with the political opposition and therefore deemed consultations with these organizations unnecessary. The 2020 amendments were submitted to parliament on 10 November, tabled on 10 December, and adopted on 15 December, with 134 'yes' and 60 'no' votes.

²² For instance, civil-society groups reported concerns about the 2018 and 2020 amendment packages – neither of which underwent a consultative process – such as the shortened deadline for applications for absentee voting, lack of safeguards for postal voting, and new restrictions for seeking legal remedy in election disputes and also referred to additional provisions to address other problems identified in prior elections.

²³ The [Joint Opinion](#), which was requested by the authorities following the adoption of the amendments, noted some positive changes related to voter and candidate registration, campaigning, postal voting, mobile voting, determination of election results, and repeat elections. Still, recommendations made in the [Joint Opinion](#) remain unaddressed.

bring the laws further in line with international standards and commitments, including those related to suffrage rights, the electoral-boundary delimitation mechanism, prevention of the misuse of administrative resources and blurring of state and party functions, media freedom, campaign finance, and citizen observation.²⁴ The authorities informed the ODIHR EOM that some of the recommendations they had deemed not to be in line with Hungarian democratic and legal traditions would not be addressed.²⁵ Gaps in the regulation of the campaign led to the election commissions and courts effectively defining the rules during the adjudication of complaints. Legal certainty was further challenged as the decisions on complaints and appeals that shaped the regulation of these campaign matters were often overturned or annulled by higher adjudicative bodies.

To ensure a coherent and sound electoral framework, the legislation should be reviewed to bring it further in line with OSCE commitments, international standards and good practice, well in advance of the next election period and on the basis of an inclusive and meaningful public consultation process.

The referendum legal framework is largely inadequate for the conduct of a democratic referendum and does not provide for a level playing field for such campaigns.²⁶ Under a 2018 amendment, the government has full campaign rights as a referendum initiator. The Referendum Act does not prescribe the neutrality of public authorities, nor ban their use of public funds for referendum campaigns as party to the contest. Moreover, it guarantees equal opportunity to campaign in the broadcast media for parliamentary parties and the government, when it is the initiator of a referendum, instead of guaranteeing equal campaign opportunity for the supporters and opponents of the referendum proposals. These provisions are at odds with international good practice.²⁷ Neither the government nor the election bodies are legally bound to provide voters with objective and balanced information on the issues put to the referendum or the positions of the proponents and opponents on the issues, which is also not in line with international good practice and challenged voters' ability to make an informed choice.²⁸

A legislative ban on holding concurrently a national referendum and elections was lifted in November 2021.²⁹ The overlapping campaigns of these two events resulted in some complexity and ambiguities in the applicability of the campaign rules, which were left unaddressed. Positively, some administrative-

²⁴ In paragraph 25 of the [1999 OSCE Istanbul Document](#), all OSCE participating States committed themselves to follow-up promptly on ODIHR's election assessments and recommendations.

²⁵ For example, prior ODIHR recommendations to fully repeal restrictions on the voting rights of persons with intellectual disabilities, in line with international standards, and to repeal discriminatory voting rights based on marital status are considered by the authorities not to be in line with Hungarian legal tradition.

²⁶ Referendums are regulated by the Constitution and the 2013 Act on Initiating Referendums, the European Citizen's Initiative and Referendum Procedure (Referendum Act).

²⁷ Guidelines I.2.2 and I.3.1 and the Explanatory Memorandum of the Venice Commission's [Code of Good Practice on Referendums](#) state: "Equality of opportunity must be guaranteed for the supporters and opponents of the proposal being voted on notably as concerns the coverage by the media, in particular news broadcasts, as well as public subsidies and other forms of backing... Administrative authorities must observe their duty of neutrality, [to ensure] equality of opportunity [and as] one of the means of ensuring that voters can form an opinion freely... Contrary to the case of elections, it is not necessary to prohibit completely intervention by the authorities in support of or against the proposal... However, the public authorities must not influence the outcome of the vote by excessive, one-sided campaigning and must not abuse their position... [T]he use of public funds by the authorities for campaigning purposes must be prohibited."

²⁸ Guideline I.3.1.d and the Explanatory Memorandum of the Venice Commission's [Code of Good Practice on Referendums](#) state, in part: "The authorities must provide objective information... This implies that the text submitted to a referendum and an explanatory report or balanced campaign material from the proposal's supporters and opponents should be made [directly] available to electors sufficiently in advance... in order to enable voters to arrive at an informed opinion..."

²⁹ The amendment was proposed by an opposition MP, and 183 MPs supported its adoption. In addition, on 1 January 2022, a complete ban on holding national referendums introduced by the government under a pandemic-related emergency decree was lifted, while the ban on local referendums remained in force.

related amendments were subsequently introduced to the legislation aimed at harmonizing the concurrent administration of such events.³⁰ While the Referendum Act refers to the application of provisions in the election legislation to the conduct of referendums, the lack of clear regulation of the referendum campaign and its intersection with the election campaign adversely impacted the process.³¹

Consideration should be given to review the referendum law to enhance legal certainty and bring it in line with international good practice for the holding of democratic referendums, including guarantees of equal campaign opportunities for the proponents and opponents, a ban on the use of state resources, and the provision of objective or balanced information to voters on the referendum issues.

V. ELECTION AND REFERENDUM SYSTEMS

The 199 members of parliament are elected for a four-year term under a mixed system: 106 are elected in single-mandate constituencies by first-past-the-post voting, and 93 are elected from closed candidate lists in a nationwide proportional contest through a partially compensatory system, with varying thresholds of 5 per cent for parties standing individually, 10 per cent for two-party coalitions, and 15 per cent for coalitions of three or more parties. Under international good practice, the thresholds applicable to party coalitions can be viewed as especially high, even for alliances.³² Parties that pass the threshold have the surplus votes from the single-mandate contests added to their vote totals before the proportional seat allocation.³³

The 2020 amendments introduced stricter criteria for parties to run in the proportional contest, requiring the simultaneous nomination of at least 71 single-mandate candidates in a minimum of 14 of the 19 counties and in Budapest, an increase from a previous requirement of 27 candidates and 9 counties and Budapest.³⁴ While parties and other stakeholders generally agree that such a measure may alleviate a prevalent problem of so-called ‘fake parties’ running only to misappropriate public campaign funds, the increase might be considered an undue barrier to participation, limiting political pluralism.³⁵

The constituency boundaries are entrenched in legislation as cardinal law that can only be changed with two-thirds parliamentary support, and without mandated periodic review by an independent expert

³⁰ For instance, deadlines for adjudication of election and referendum complaints were aligned in cases where the processes are to be simultaneously held.

³¹ For instance, the Referendum Act does not have a clear definition of political advertisement for referendums, while the applicable definition of political advertisement in the Act on Election Procedure does not include the concept of referendum campaigning. Free media airtime dedicated to referendum campaign advertisements was in some cases used for election campaign advertisements.

³² See the European Court of Human Rights (ECtHR) case in [Yumak and Sadak v. Turkey](#), where the Court stated that a 10 per cent threshold, although not a violation of the European Convention on Human Rights, seemed excessive and recommended to lower it.

³³ Surplus votes are the votes a party’s unsuccessful single-mandate candidates received and the votes of a party’s winning candidates over and above those needed to win. The proportional seat allocation uses the d’Hondt method.

³⁴ The proposal of the Ministry of Justice was to increase the number of candidates to 50, which was further increased to 71 based on a proposal of an independent MP.

³⁵ ODIHR and the Venice Commission in their [Joint Opinion](#) recommended significantly lowering the amended numbers, noting that the stricter requirement “might aggravate the level of political polarization in the political arena and ultimately in the society” and that other means to minimize ‘fake’ parties could be used.

body.³⁶ The delineation of the constituencies has not changed since 2014 when they were first established under a new electoral system. There is a significantly unequal distribution of registered voters amongst the constituencies, with 25 of the 106 constituencies having more than a 10 per cent deviation, ranging up to a 33 per cent deviation, at odds with the principle of equal suffrage.³⁷ The Elections Act allows up to a 20 per cent deviation from the average number of voters per single-mandate constituency, contrary to international good practice. Moreover, in some instances, the deviations breach the domestic law as revision of constituency boundaries that exceeded the legislated 20 per cent maximum deviation did not take place following the 2018 elections as required.³⁸

To guarantee the equality of the vote, the legal framework for delimitation of constituency boundaries should be brought in line with international standards and good practice. Current boundaries should be redefined in line with such revised law and by an independent body in a transparent and inclusive manner well in advance of the next elections.

Each of the 13 national minority self-governments are entitled to submit a single candidate list that is voted on by self-declared voters of the respective minority.³⁹ The first candidate on the list requires one fourth of the standard electoral quota to be elected.⁴⁰ If this preferential quota is not reached, the national minority is entitled to a non-voting parliamentary spokesperson.

National referendums can be initiated by 200,000 voters or ordered at the discretion of the parliament when initiated by the president, the government, or at least 100,000 voters.⁴¹ The 2022 referendum was initiated by the government. The NEC, which determines compliance of the referendum questions with substantive and procedural legal criteria, approved all five proposed questions but on appeal the Supreme Court overruled the decision on one of them.⁴² Multiple questions appear on the same ballot

³⁶ The Elections Act provides for a maximum deviation of 15 per cent in most cases and above that in certain circumstances at the time of boundary delimitation and requires parliament to amend the boundaries if any constituency surpasses 20 per cent deviation based on the voter distribution as of the last parliamentary elections. Guideline I.2.2 of the Venice Commission's [Code of Good Practice in Electoral Matters](#) states that "the permissible departure from the norm should not be more than 10 per cent and should certainly not exceed 15 percent, except in special circumstances." Guideline II.2.2.vii provides that "when constituency boundaries are redefined it must be done impartially; without detriment to national minorities; taking account of the opinion of a committee, the majority of whose members are independent. The parliament would then make a decision on the basis of the commission's proposals with the possibility of a single appeal."

³⁷ This includes 18 constituencies with more than 15 per cent deviation, of which 7 are more than 20 per cent, the latter all in Pest county, based on current population distribution. See paragraph 7.3 of the [1990 OSCE Copenhagen Document](#), which states that the participating States will "guarantee universal and equal suffrage to adult citizens". Paragraph 21 of [General Comment No. 25](#) to Article 25 of the ICCPR states: "...within the framework of each State's electoral system, the vote of one elector should be equal to the vote of another." On 28 October 2021, a Hungarian citizen lodged a petition with the ECtHR arguing that the deviations violated the ECHR. The petition was ruled inadmissible on grounds that the alleged breached right does not fall within the Convention.

³⁸ The two concerned constituencies are No. 02 and 05 in Pest county. By law, constituency boundaries cannot be changed starting from the calendar year preceding the year of a scheduled election. In August 2020, the NEO submitted to the Ministry of Justice proposed revised boundaries of several constituencies to ensure the voter distribution was within the legislated limit; the proposal was never tabled in parliament. In December 2020, an opposition member tabled the same boundary revision proposal, which in turn was voted down.

³⁹ 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.

⁴⁰ The preferential quota is determined by dividing the total number of national list votes, including surplus votes from single-mandate contests, by 93 and then dividing that number by four.

⁴¹ Referendums may only be held on matters within parliament's purview, with exceptions including issues that impact international treaty obligations.

⁴² Multiple petitions to the Supreme Court and Constitutional Court challenged the substantive and procedural validity of the five referendum questions. One question overturned by the Supreme Court was subsequently confirmed by the Constitutional Court; however, in the meantime the parliament had already called the referendum for the four other questions. On re-examination, the Supreme Court on 23 March again rejected the fifth question.

with each question offering a ‘yes’ or ‘no’ option. A referendum is deemed valid if more than 50 per cent of all registered voters cast valid ballots. While by law all valid referendum results are binding, the legal effect of a potentially valid referendum on 3 April was unclear, as the legislative basis of the issues put to the referendum, the 2021 ‘child protection’ law, was already in force, at odds with international good practice.⁴³

VI. ELECTION ADMINISTRATION

The parliamentary elections and referendum were managed by a parallel four-tiered administration comprised of the NEC, 20 Regional Election Commissions (RECs), 106 Constituency Election Commissions (CoECs), and 10,243 Polling Station Commissions (PSCs). In addition, the NEO, 20 Regional Election Offices (REOs), 97 Constituency Election Offices (CoEOs), and 1,264 Local Election Offices (LEOs) were responsible for administering elections and for providing assistance to the respective commissions in their decision-making process.

Election commissions comprise elected and delegated members. The NEC is a permanent independent body composed of seven elected members, including the president. They are nominated by the president of Hungary and elected by parliament with two thirds of the votes. The law does not establish clear procedures and lists only general criteria for nominations by the president, vesting her or him with wide discretionary powers.⁴⁴ The mechanism for appointing NEC members does not provide a reasonable possibility for public consultation on the selection of NEC nominees and thus negatively impacts the overall trust in the election administration. The NEC also has delegated members, political parties that have a faction in parliament can each delegate one member to the NEC to represent them in the NEC in between election processes. Once elections have been called, these party-delegated members no longer take part in NEC sessions.

After registration for the elections, entities that field national proportional lists can delegate a member to the NEC.⁴⁵ National minority self-governments that register a list can also each delegate a NEC member who has voting rights only on issues affecting national minorities. Of the 18 NEC members serving during these elections, only four, including the vice-president, were women. No readily available gender-disaggregated data was provided regarding the composition of lower-level commissions, at odds with international standards.⁴⁶ For some 50 days, from the calling of the elections until the nomination of party-delegated NEC members, a number of decisions on the registration of party lists, as well as the adjudication of complaints and appeals, took place without party-delegated members, detracting from the pluralism of the NEC’s decision-making.

Consideration should be given to amending the legislation to ensure cross-party participation in the NEC from the period of calling elections.

⁴³ Guideline I.3.1.c. of the Venice Commission’s [Code of Good Practice on Referendums](#) states that “The question put to the vote must be clear; it must not be misleading; it must not suggest an answer; electors must be informed of the effects of the referendum; voters must be able to answer the questions asked solely by yes, no or a blank vote.”

⁴⁴ Section 17 of the Act on Election Procedure lists the following criteria for NEC members: Voters with an address in Hungary who are eligible to vote in parliamentary elections and who hold a law degree can be NEC elected members. Section 18 enumerates the grounds for incompatibility with holding a public office position: President, speaker of the National Assembly, candidate, member of the armed forces, member of a political party or nominating organization, or relative of a candidate.

⁴⁵ For these elections, six political entities and five national minority self-governments delegated NEC members, who started attending sessions on 4 March.

⁴⁶ According to paragraph 48d of [CEDAW General Recommendation No. 23](#), State parties should provide “statistical data, disaggregated by sex, showing the percentage of women relative to men who enjoy those rights”.

Election offices operate in a hierarchical structure headed by the NEO president, who is appointed by the president of Hungary, upon the prime minister's nomination, for a nine-year term. Up to three vice-presidents, appointed for indefinite terms, assist the NEO president. The NEO is a state administrative body tasked with the technical preparation and administration of the elections. Lower-level offices are headed by municipal clerks and act as secretariats for the election commissions at the corresponding level.

RECs, CoECs and PSCs each consist of three members elected by the corresponding county or local representative body, based on proposals from the respective election offices.⁴⁷ Recent amendments have broadened LEOs' discretion in nominating additional PSC members in case PSCs have less than five members due to insufficient nominations from contestants.⁴⁸ The recruitment of PSC members was conducted by public calls which did not contain detailed criteria and did not follow a unified approach, diminishing the transparency and consistency of the selection process. LEOs provided training for PSC registrars, who assist PSCs on election day and are responsible for filling out the results protocols, and organized sessions for the elected and delegated PSC members, based on training materials produced by the NEO. The training sessions for PSC members attended by ODIHR EOM observers were assessed as well-organized and comprehensive. CoECs and RECs did not receive standardized training, contrary to international good practice, including regarding the RECs' new role related to appeals on candidate registration, but they could consult CoEOs and REOs if needed.⁴⁹

Election commissions are tasked by law to establish the results of the elections and to ensure fairness, lawfulness, and impartiality of the electoral process, with assistance provided by election offices. In most cases observed, election offices appeared to have overall responsibility for the election process in terms of preparations, organization, management of the commission member nomination process, preparing commissions' agenda and draft decisions, access to tabulation, and aggregation of results. ODIHR EOM observers found that the parallel operation of offices and commissions, both defined by law as independent bodies but without clearly separated functions in practice, diminished the transparency of the election management process.⁵⁰

Overall, the election administration managed the technical preparations professionally and efficiently and met all legal deadlines. Between the call of the elections and the announcement of the election results, the NEC held 39 sessions that were open to the public; the agenda was announced shortly before each session, and NEC decisions were published in a timely manner. However, most sessions of election commissions lacked genuine deliberations and were limited to voting on pre-drafted decisions, especially before the delegated members joined. This, along with strict time restrictions on members' interventions, diminished the transparency and collegiality of the decision-making.⁵¹ Following the

⁴⁷ In some cases, CoEOs and LEOs were headed by the same official.

⁴⁸ Political parties and independent candidates registered in the respective constituency may nominate up to two members each per PSC.

⁴⁹ The ODIHR EOM was informed by some CoEOs that CoECs members are experienced election lawyers and university professors and do not need training. The NEC chairperson, however, shared that CoECs did not adjudicate complaints in a uniform manner during the election period and could benefit from training. Training was compulsory only for staff of election offices and elected PSC members. Guideline II.3.1 of [Code of Good Practice in Electoral Matters](#) notes that "Members of electoral commissions must receive standard training."

⁵⁰ In a number of cases, ODIHR EOM long-term observers reported that access to CoEC members and meetings with commissions were not possible without the facilitation and active involvement of election offices. In some cases, this also undermined the perception of impartiality of the election bodies, as commission members were often consulting the offices in their replies. Moreover, election offices have the main responsibility during the tabulation process as they are aggregating the results and have access to the National Election System.

⁵¹ Paragraph 4 of the NEC [Rules of Procedure](#) (in Hungarian) specifies that commissioners may speak on two agenda items during a session, with two interventions of two and one minute, respectively. This might be extended to five

2020 legislative amendments NEC sessions could be held using electronic channels, but these were not broadcast or streamed online, and session minutes were published with a considerable delay of some 30 days, decreasing transparency. Furthermore, the election administration did not enjoy the full confidence of some electoral contestants, particularly at the higher-level, due to concerns over the dominance of ruling majority appointees.⁵²

A 2020 amendment to the Act on Election Procedure granted the NEC president the right to direct the content of pre-drafted decisions, with NEC members able to propose amendments at the public session. The law does not allow for genuine deliberation and limits the input of NEC members, undermining the transparency and collegiality of the decision-making process, particularly on complaints and appeals. While the NEC took more than 360 decisions in the election period, during the NEC sessions observed by the ODIHR EOM, only in six cases were minor amendments made to decisions related to complaints and appeals.⁵³ For the period before the party-delegated members joined the NEC, the majority of NEC decisions were taken unanimously and rarely with substantive deliberations.

To guarantee collegiality and transparency of the decision-making, consideration should be given to providing all commission members meaningful opportunities to contribute to the formulation of decisions. The decision-making process should be inclusive and open for deliberation of alternative proposals of all decisions.

The election administration made efforts to strengthen the accessibility of the elections for persons with disabilities, in line with the law.⁵⁴ The NEO maintained a website with voter information for the elections and referendum, as well as voter education materials and easy-to-read content tailored for users with visual and other impairments. Some 2,197 persons requested to vote at a designated accessible polling station, and 225 requested a voting template in Braille for use on election day. In addition, 92,643 voters requested to vote using a mobile ballot box. An average of 76 per cent of polling stations were reported by the NEO as being accessible for voters with physical disabilities or reduced mobility; IEOM observers on election day reported that some 27 per cent of the polling stations visited were not accessible for independent use. Voter education was overall limited and did not facilitate a sufficient understanding of voting procedures. ODIHR EOM long-term observers reported that voter education campaigns were mainly conducted by CSOs and by election offices, with some conducting awareness campaigns and sending letters to voters.

VII. VOTER REGISTRATION

All citizens who are at least 18 years of age on election day and married citizens over 16 are entitled to vote.⁵⁵ The distinction based on marital status is at odds with international standards.⁵⁶ Those declared

minutes in total. While this rule may make meetings more efficient, it does not allow reasonable time for thorough deliberations.

⁵² Similarly, in a few localities controlled by the opposition, *Fidesz* raised concerns about lower-level election bodies.

⁵³ The ODIHR EOM observed the vast majority of NEC sessions held during the observation period; its decisions were largely related to complaints and appeals.

⁵⁴ The [Concluding Observations](#) on Hungary of the UN Committee on the Rights of Persons with Disabilities, issued on 25 March 2022, raised a number of concerns related to the right to vote of persons with disabilities and issued four related recommendations including on suffrage rights, assisted voting, reasonable accommodation, and measures to promote the election and appointment of persons with disabilities.

⁵⁵ The Constitution grants the right to vote and stand in elections to all adult citizens. Under the Civil Code, married citizens over the age of 16 are given full rights as adults.

⁵⁶ Paragraph 3 of [General Comment No. 25](#) on Article 25 of the ICCPR states that “no distinctions are permitted between citizens in the enjoyment of [voting rights] on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.

of limited mental capacity may be disenfranchised by an individualized court decision, contrary to international standards.⁵⁷ The ODIHR EOM was informed by interlocutors from the CSOs that despite the introduction in 2013 of a legal requirement for individualized court decisions as a replacement for the previous blanket disenfranchisement of mentally incapacitated persons, the courts continue to automatically disenfranchise such persons, and earlier decisions on deprivation of voting rights have not been re-examined.⁵⁸

The Criminal Code provides that a court can deprive an individual of voting rights if convicted and imprisoned for an intentional crime and “deemed unworthy to take part in public affairs.” Any period of disenfranchisement must include the time in prison and an additional one to ten years following serving of the sentence.⁵⁹ Contrary to international good practice, the law does not guarantee the proportionality of the decision and length of disenfranchisement, for instance, allowing disenfranchisement even for minor offences.⁶⁰ Moreover, according to some ODIHR EOM interlocutors, the vast majority of convicts are disenfranchised for a period equal to the term of imprisonment following their release, rather than based on an individualized, proportional assessment.

Restrictions of the voting rights of persons with mental and intellectual disabilities, as well as distinctions in voting rights based on marital status, should be removed. Restrictions on voting rights of convicts should be reviewed to ensure that any limitation is clearly defined in the law and proportionate to the gravity of the crime committed.

The voter register is maintained by the NEO, based on the civil registry.⁶¹ A total of 8,215,466 citizens were eligible to vote in the parliamentary elections and the referendum.⁶² Voter registration is passive for citizens with a domicile in Hungary. Political parties and CSOs with whom the ODIHR EOM met expressed overall confidence in the accuracy of the voter register. However, a November 2021 amendment which redefined residency and eased requirements for civil registration weakened

⁵⁷ Article 29 of the 2006 [UN Convention on the Rights of Persons with Disabilities](#) (CRPD), states that to “ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected”. Paragraph 3 of [General Comment No. 25](#) on Article 25 of the ICCPR states that: “no distinctions are permitted between citizens in the enjoyment of [voting rights] on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” In practice, disenfranchisement is reportedly also extended to non-verbal voters without proper examination. According to NEO data, some 47,000 voters were deprived of their civil rights due to mental incapacity. The 2020 amendments to the Act on Election Procedure removed “pathological addiction” from the grounds for disenfranchisement.

⁵⁸ In the case of [Alajos Kiss v. Hungary](#), the 2010 judgement of the European Court of Human Rights stated that the previous practice violated Article 3 (right to free elections) of [Protocol No. 1 of the ECHR](#), and overturned a Hungarian blanket provision which denied voting rights to mentally disabled people under partial guardianship.

⁵⁹ The courts do not have discretion to disenfranchise prisoners for a term equal to or less than the period of imprisonment. According to NEO data, some 25,000 persons are currently disenfranchised due to criminal conviction.

⁶⁰ Guideline I.1.1.d of the Venice Commission’s [Code of Good Practice in Electoral Matters](#) states that deprivation of the right to vote and to be elected “may be subject the following cumulative conditions iii. the proportionality principle must be observed; conditions for depriving individuals of the right to stand for election may be less strict than for disenfranchising them and iv. The deprivation must be based [...] on a criminal conviction for a serious offence.”

⁶¹ The civil registry contains data based on the Personal Data and Address Registry and the central register of travel documents (since the recent amendments to the Act on Election Procedure), while the National Court Office and the Criminal Registry provide data to the NEO on those deprived of suffrage rights.

⁶² This included 7,536,306 voters registered in their home constituency, 157,551 absentee voters, 65,480 voters registered to vote at Hungarian diplomatic missions, and 456,129 voters abroad without a registered address in Hungary who are eligible to vote by post. A total of 40,570 voters registered to vote for national minority lists.

safeguards against manipulations of voter registration.⁶³ Contrary to international good practice, the voter registers were not published, but voters could request changes to their data up to two days before election day.⁶⁴ Following widespread debate about the civil registration changes, the NEO published voter registration figures on a weekly basis increasing transparency. According to data published by the NEO, changes in voter registration figures per constituency following the November 2021 amendment easing civil registration requirements ranged from 0.002 to 0.95 per cent. The voter registration figures from 2021 were published by the NEO in a different format compared to recent data, which did not facilitate the comparison of voter registration trends.⁶⁵

There are two different voting methods for voters abroad. Voters abroad with an in-country residence had to register by 25 March to vote in one of the 145 polling stations established at Hungarian diplomatic missions. These voters could vote for the national proportional list and the constituency components of the elections. Voters abroad without domicile in Hungary were eligible to vote by post for the national proportional list component only. The provision for postal voting extends mostly to ethnic Hungarian communities in neighboring countries, who were granted citizenship following an amendment to the Act on Hungarian Citizenship where individuals whose ancestors were Hungarians could be naturalized on preferential terms.⁶⁶ The differing modalities for out-of-country voting, depending on whether voters retain a domicile in Hungary or not, challenged the principle of equal suffrage.⁶⁷

To ensure equal suffrage, voter registration and voting procedures for out of country voters should be made uniform for all citizens abroad.

The register for postal voting contained the data of some half a million voters. The records of these voters remain active provided they vote or amend their data at least once every ten years. This extended period is at odds with international good practice and creates concerns about the accuracy of the register of citizens residing abroad without domicile in Hungary.⁶⁸ In response to formal complaints related to alleged irregularities in the delivery of postal voting packages to voters and destruction of marked postal ballots, the NEC stated that the scope of the election legislation extends to the territory of Hungary and that it did not have competence to investigate the activities of unknown persons in another country. This

⁶³ Amendments to the Act on the Records of Citizens' Personal Data and Address changed the definition of residency from the actual place of residence to the address used for communication with the state. One quarter of sitting MPs unsuccessfully challenged the amendment before the Constitutional Court, claiming that the register of residential addresses would no longer be proof of the actual place of residence. The Constitutional Court in its decision of 14 February 2022 ruled that the amendment was necessary as it "provides a regulatory response to the social phenomenon that some of the notifications of residential addresses no longer reflect the reality of the situation."

⁶⁴ Guideline I 1.2. of the Venice Commission's [Code of Good Practice](#) prescribes that "[e]lectorate registers must be published".

⁶⁵ The figures on changes in the voter register are based on the ODIHR EOM's analysis of data published by the NEO from December 2021 (49th calendar week) to 31 March 2022. The NEO informed the ODIHR EOM that the new formatting per settlement and constituency was a novel approach and that previous data were not published in such a format to allow comparison. Based on voter list data from 2018, several constituencies in Pest and one in Fejér county had a population increase of more than 4 per cent.

⁶⁶ Based on the data from the Department of Citizenship and Registration of the Government Office of Budapest Capital, 36,101 persons were granted citizenship since 2020 based on the simplified naturalization procedure. In 2018, 378,449 citizens were eligible to vote by post, compared to 456,129 for these elections.

⁶⁷ Paragraph 7.3 of the [1990 OSCE Copenhagen Document](#) commits participating States to "guarantee universal and equal suffrage to adult citizens".

⁶⁸ Guideline I.1.2. of the Venice Commission's [Code of Good Practice in Electoral Matters](#) prescribes that fulfilment of the following criteria is essential if electorate registers are to be reliable: "ii there must be regular up-dates, at least once a year."

left the process of postal voting without proper oversight.⁶⁹ A total of 456,129 out-of-country voters were eligible to cast a postal ballot for the proportional contest and the referendum.

To increase trust in the accuracy of the voter register and integrity of the election process, consideration could be given to regularly updating the data of voters residing abroad without domicile in Hungary.

VIII. CANDIDATE REGISTRATION

The right to stand is granted to every citizen with voting rights. Candidates for single-mandate constituencies could be nominated by one or more nominating organization or run independently.⁷⁰ Candidates for single-mandate constituencies had to collect at least 500 support signatures from citizens eligible to vote in that constituency, on signature sheets pre-approved by the NEO.⁷¹ Candidates can be simultaneously nominated on a national party list and in a single-mandate constituency.

In an inclusive process, the NEC registered 55 nominating organizations, including 12 national minority self-governments, and denied registration to 7 entities due to omissions in their documentation.⁷² In total, six national proportional lists were registered from these nominating organizations, and one list was rejected.⁷³ CoECs registered a total of 663 candidates for elections in single-member constituencies, including 34 self-nominated. CoECs denied the registration of 105 candidates.⁷⁴ The verification of support signatures was conducted by the CoEOs, within three days of submission of the candidacies. By law, only the candidates, upon their request, are entitled to know the reasons for CoEOs' invalidation of collected signatures, limiting the transparency of the verification process. The proportional lists were registered by the NEC once the parties nominating the lists fulfilled the requirement of fielding candidates in at least 71 single-member districts in 14 counties and Budapest. The registered lists included a total of 1,035 candidates, including 204 women (19.7 per cent). National minorities fielded 111 candidates, including 49 women (44.1 per cent). Among the 663 single-mandate candidates, 116, or 17.5 per cent, were women.

⁶⁹ On 21 March, a complaint was filed by an individual citizen claiming that in Serbia, the Alliance of Vojvodina Hungarians, an ethnic Hungarian party, delivered the postal voting packages instead of the Serbian postal services. The NEC dismissed the complaint, stating that the NEO is not responsible for investigating proper delivery of the postal voting packages. On appeal, the Supreme Court upheld the decision. On 3 April, the NEC dismissed a complaint related to alleged destruction of ballots in Târgu Mureș, Romania, due to lack of jurisdiction. The United for Hungary opposition coalition called for the invalidation of all postal ballots after this incident.

⁷⁰ Candidates may withdraw up to 11:00 on the day before elections. After the elections, party list candidates that did not win a mandate are removed from the list, contrary to a previous ODIHR and Venice Commission recommendation as it prevents replacement in case winning candidates are unable to take up their seats or resign.

⁷¹ The NEO issued a total of 190,229 signature sheets to 1,086 party and independent candidates. Based on data from the NEC secretariat, a total of HUF 6,624,000 (EUR 17,570) fines were imposed in 466 cases for late return or loss of signature sheets, according to a legal provision that may benefit from review, in line with a previous ODIHR recommendation.

⁷² Nominating organizations include political parties that field single-mandate constituency or proportional candidates, as well as national minority self-governments. Based on National Judicial Office data, as of April 2022, a total of 268 political parties were active, with 76 having been registered since the 2018 elections.

⁷³ The NEC refused the registration of the proportional list of Our Party – PRAYER as the party fielded only 10 individual candidates in 7 counties and the capital. United for Hungary, the Normal Life Party, the Two-Tailed Dog Party, the Solution Movement, Our Homeland, and *Fidesz*–KDNP met the requirement for registration of their national proportional lists and submitted their documents by the legal deadline.

⁷⁴ Eight candidates registered by CoECs subsequently withdrew, and one was deregistered. The Budapest REC deregistered a candidate after reviewing the signature sheets based on an appeal. It found that the data on some of the sheets was not in compliance with legal requirements and invalidated part of the signatures, causing the number of remaining valid signatures to drop below the required 500. The CoEO found that 40 of the signatures were of deceased persons and duplicate recommendations, and the respective CoEC filed a report to the police against an unknown perpetrator.

Women were underrepresented as candidates, accounting for less than 20 per cent (excluding minority candidates), limiting the opportunity for strengthening representation of women in national politics.⁷⁵ Moreover, there are no special legislative measures to promote the political participation of women, and only four parties informed the ODIHR EOM that they had internal rules to ensure women are represented in high places on candidate lists.

Consideration could be given to introducing temporary special measures to promote women candidates, including legislative gender quotas for party lists that place women in winnable positions and access to public funding. Additionally, political parties could consider voluntary ways to further increase gender balance on their party lists and internal party structures and strengthen their efforts to foster inclusivity.

The NEO launched a new online portal where voters could check if their data had been used in support of any single-mandate candidate. A total of 129,640 such checks were recorded as of 4 April 2022. In case of suspected abuse, voters could file complaints to the RECs during the nomination period or initiate criminal investigation proceedings. Eighty-one individuals informed the election bodies that their data had been misused. During the nomination period, however, numerous complaints and appeals were lodged by candidates and citizens alleging fraudulent signature collection or the misuse of personal data. RECs dismissed most of these on formal grounds, due to late submission or inability to provide sufficient evidence; only in some cases were such claims forwarded directly to the police.⁷⁶ The election administration made insufficient efforts to address these violations and there was a lack of timely handling of such cases by law enforcement. The Ministry of Interior informed the ODIHR EOM that more than 100 criminal investigations were launched on suspected falsification of signatures or misuse of personal data in relation to the signature sheets submitted by candidates for registration. In the weeks following the election, the investigations were ongoing. In relation to the signature collection process, the National Authority for Data Protection and Freedom of Information (NAIH) informed the ODIHR EOM of 14 individual complaints on personal data misuse and of some cases of political parties collecting personal data for unclear purposes.⁷⁷

Consideration should be given to providing effective remedy and measures to address issues related to the falsification of supporting signatures or the misuse of personal data during the process of candidate nomination.

⁷⁵ Twenty-six out of 199 MPs in the outgoing parliament (13 per cent) and 2 out of 13 government ministers were women.

⁷⁶ Most RECs reviewed individual claims by voters about the misuse of their data by candidates, which alleged misuse predominantly by the Solution Movement and the Normal Life party. A number of candidates appealed CoEC decisions on registration, requesting RECs to review the validity of the submitted support signatures. The NEC received a total of seven complaints and appeals about signature collection irregularities, including falsified signatures; all were rejected. ODIHR EOM observers were informed that election commissions lack investigative powers to verify the validity of signatures and only have an obligation to forward reports to the police based on concrete evidence of the misuse of data, including signatures of deceased voters or individual claims.

⁷⁷ A fine of HUF 3,000,000 (EUR 8,000) was issued by NAIH on 2 March 2022 to the Common Ground 2018 party and its founder, György Gődény, the current chairperson of the Normal Life Party, for a 2020 case on misleading citizens about the purpose of collecting personal data in support of an online petition. On 17 March 2022, the NAIH launched an investigation into the Normal Life Party, based on a number of complaints, concerning the unlawful collection of personal data online in connection with the 2022 elections. In addition, some criminal investigations were launched into candidates suspected of attempting to pay voters for signing their recommendation sheets.

The referendum legal framework does not include the concept of supporters and opponents of a referendum, contrary to international good practice, and does not require political parties or other stakeholders to register to participate in the campaign.⁷⁸

IX. CAMPAIGN ENVIRONMENT

The official campaign commenced on 12 February and continued through election day.⁷⁹ Campaigning by public officials is not explicitly restricted in any manner by the law, and the use of administrative resources in the election campaign is not prohibited.⁸⁰ Referendum campaigning is largely unregulated, and apart from provisions on free airtime in broadcast media for the government and parliamentary parties there are no clear rules on who can campaign or the methods they can use in the referendum campaign.

In the campaign, the fundamental freedoms of association and assembly were respected, and election participants were largely able to campaign freely. A range of contestants represented different views. However, the campaign was marked by a fundamental lack of a level playing field, characterized by a pervasive overlap between the ruling coalition's campaign messages and government information campaigns, giving a clear advantage to the *Fidesz*-led coalition.

Parties campaigned actively around the country, with varied intensity between the regions, by means of meetings with voters, door-to-door and small-scale street campaigning, as well as indoor forums. Attendance at campaign events observed by ODIHR EOM long term observers (LTOs) ranged from smaller gatherings focused on direct contact with voters to larger gatherings attended by a few hundred people, with some gathering tens of thousands.⁸¹ The ODIHR EOM noted a significant disparity in the allocation of billboard space for campaign posters in favor of the ruling coalition. Most of the billboards are owned by individuals affiliated with the ruling party and opposition parties and candidates enjoy limited access to them. Both ruling and opposition parties also placed smaller campaign posters around the country. The ODIHR EOM noted widespread defacing of such posters.⁸²

Parties and candidates relied heavily on social networks to promote their campaign messages. Candidates frequently used their Facebook accounts to criticize each other. Mr. Orbán's Facebook account had by far the highest engagement in terms of followers, likes, shares and comments among parties and politicians, while Mr. Márki-Zay had the highest engagement among opposition figures.

⁷⁸ Guideline I.2.2 of the Venice Commission's [Code of Good Practice on Referendums](#) provides that "equality of opportunity must be guaranteed for the supporters and opponents of the proposal being voted on."

⁷⁹ Campaign rallies and campaign advertisements in the media are prohibited on election day, and, pursuant to a 2018 amendment, campaigning may not take place within 150 meters of polling stations.

⁸⁰ The 2016 ODIHR and Venice Commission's Joint [Guidelines](#) for Preventing and Responding to the Misuse of Administrative Resources during Electoral Processes stipulates that the "ordinary work of government must continue during an election period. However, to prevent the misuse of administrative resources [...], the legal framework should state that no major announcements linked to [...] a given party or candidate should occur during campaigns" and that "the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages [...]." The Act on Election Procedure establishes guiding principles of equal opportunities for contestants and fairness of the election and prohibits campaigning in state or local government buildings. The Act on Public Service Officials prohibits local public servants to engage in "any activity that would compromise their impartial, non-influential activities." The Act on Government Administration that regulates state public servants does not include a similar prohibition. Elected officials are not subject to any restrictions.

⁸¹ ODIHR EOM LTOs observed 32 campaign events in 9 counties and Budapest city.

⁸² The Ministry of Interior informed the ODIHR EOM that some 50 criminal investigations were initiated in relation to damage to campaign posters, and some 20 related to the theft of campaign materials. Eighteen criminal investigations into campaign-related public nuisance were initiated. Following recent legislative amendments, advance written permission is required from the owner of a private property where campaign materials are posted.

The government Facebook page also contained campaign messages, contributing to the blurring of the line between state and party. The campaign rhetoric and themes used by parties and candidates on social networks largely mirrored the traditional campaign. However, non-party influencers were highly active in the campaign on social networks, particularly in support of *Fidesz*, and often used confrontational rhetoric.⁸³

The campaign was highly negative in tone, with mutual accusations between the ruling party and the main opposition coalition. Both sides levelled accusations of corruption. Many campaign billboards from third-party entities criticized the opposition and launched personal attacks, in particular against Mr. Márki-Zay. The ruling coalition stressed its record in government, contrasting it positively with the previous government, claiming that if the opposition came to power, a number of social and healthcare benefits would be reduced or cut and utility bills would rise.⁸⁴ During the campaign, the sending of emails and text messages with campaign messages led to allegations of the misuse of voters' personal data by the government, ruling party and opposition coalition (see *Complaints and Appeals*).

In the campaign, the war caused by the Russian Federation's invasion of Ukraine featured prominently, especially in the first two weeks following its start on 24 February.⁸⁵ The United for Hungary opposition campaign focused on the activities of Mr. Márki-Zay campaigning around the country, while *Fidesz* focused on the activities of Mr. Orbán as prime minister, notably concerning the war in Ukraine and the influx of refugees from that country. However, in the last week of the campaign, Mr. Orbán actively engaged in campaigning. Locally, *Fidesz* candidates drew attention to projects benefiting the community. Other issues that featured in the campaign included energy security, the economy, notably family support payments, pensions, inflation and utility prices, and later in the campaign EU funding and foreign interference.⁸⁶ The Our Homeland Movement focused on COVID-19 restrictions, and in the latter stages of the campaign United for Hungary criticized the record of the government in tackling the COVID-19 pandemic. The referendum issues featured in the campaign only to a limited extent. Several CSOs called upon voters to invalidate their referendum ballot.

The pervasive overlap of government information and ruling party messaging in media advertisements and billboards, and in government letters about social benefits, blurred the line between state and

⁸³ Instagram was used less extensively, and mostly with the same posts that appeared on Facebook. On 30 March, the *Fidesz* website was attacked by unknown hackers in what the party called "an obvious interference in the elections." The website was accessible again in the evening of the same day. On 29 March, Our Homeland Deputy President Dóra Dúró claimed that the decision by Facebook's parent company Meta to block the party's Facebook page was "conscious interference into the parliamentary elections."

⁸⁴ On 18 March, Mr. Márki-Zay filed a criminal complaint about the misrepresentation of his views by the ruling coalition campaign. According to the Ministry of Interior, during the campaign period, a total of seven criminal reports were filed on alleged defamation and slander.

⁸⁵ The ruling coalition emphasized the need to preserve peace and security in Hungary, and claimed that if the opposition were in power, Hungary would be directly involved in the conflict. The opposition rejected these claims and accused the prime minister of having been too close to the government of the Russian Federation and of pursuing a similar course to the Russian president.

⁸⁶ On 29 March, a media [report](#) described alleged long-term foreign meddling in the Foreign Ministry IT system. On 29 March, Mr Márki-Zay [called](#) on Foreign Minister Péter Szijjártó to resign for lack of action on the issue. In the campaign, the opposition frequently raised the withholding of EU funding, pointing to this as a government failure. On 31 March, Finance Minister Mihály Varga [responded](#) that the withholding of EU funding amounted to interference in Hungary's elections.

party.⁸⁷ There were also widespread allegations in a number of regions that public-sector workers, including those in public employment programs, were engaged in the election campaign.⁸⁸ There were multiple formal complaints about a government program to distribute laptops in schools, alleging that candidates and officials used the delivery of the laptops as a campaign tool. Another complaint concerned the government sending emails to citizens about the war in Ukraine, in which it criticized the standpoints of the opposition (see *Complaints and Appeals*). Such use of state resources amplified the advantage of the ruling party and further tilted the playing field, at odds with paragraph 5.4 of the 1990 Copenhagen Document.⁸⁹

To guarantee a level playing field, fair campaign and equality of opportunities, the legal and institutional framework should clearly prohibit the misuse of administrative resources, including the prohibition of state officials campaigning in their official capacity, and the barring of the initiation or announcement of new state spending during a pre-election period.

The ODIHR EOM received claims by several opposition interlocutors that, especially in rural areas, their campaign activities were hindered by the fact that people were pressured, often by local mayors, not to attend opposition events. Furthermore, there were numerous allegations that public employment programs, were widely abused by mayors who warned people that the programs would be withdrawn if the opposition were to win in that locality. ODIHR EOM interlocutors made multiple allegations of vote-buying.⁹⁰

To enhance public confidence in the electoral process and create a free and fair campaign environment, public officials and electoral contestants should refrain from exercising pressure on voters or public employees, and the relevant authorities should take prompt and effective steps to investigate allegations

⁸⁷ Government media advertisements, posters featuring a photograph of the prime minister, and Facebook posts stressing the preservation of peace and stability in Hungary dovetailed with *Fidesz* messaging that also criticized the opposition position on the war in Ukraine. Similarly, a key *Fidesz* slogan, “let’s go forwards, not backwards” closely mirrored a government information slogan used before the campaign period. Letters sent by the government to citizens about increased pensions and support for families with children contained criticism of the previous government of Mr. Gyurcsány. Utility bills contained messages describing how prices had been kept low, mirroring a *Fidesz* campaign message about the achievement of low prices and a claim that if the opposition gained power, they would rise. It was further alleged in Budapest and in Borsod-Abaúj-Zemplén county that *Fidesz* campaign messages were sent to emergency caller devices used by the elderly.

⁸⁸ The ODIHR EOM was informed about such allegations in Borsod-Abaúj-Zemplén, Hajdú-Bihar and Zala counties. One complaint to NEC included apparent photographic evidence that municipal workers in Baranya county had posted *Fidesz* campaign posters. Another formal complaint alleged a municipal worker distributed *Fidesz* leaflets in Vas county.

⁸⁹ Paragraph 5.4 of the [1990 OSCE Copenhagen Document](#) provides for “a clear separation between State and political parties”. Paragraph 253 of the Joint [Guidelines](#) on Political Party Regulation state that “The abuse of state resources often includes the use of public premises, office equipment, or public employees for the promotion of the programme and actions of the governing party before and during elections. The same applies when government resources are used to slander and denigrate opposition parties, regardless of whether this happens in the context of or outside of elections. Moreover, where public authorities (not individual government officials) are involved in campaign announcements and advertising (and perhaps even obtain billboards and other equipment for free, or below the market price), or the use of subsidies for party donations, they are abusing public funds allocated to govern a country.” Paragraph II. B. 1.1 of the Guidelines states that “the legal framework should provide effective mechanisms for prohibiting public authorities from taking unfair advantages of their positions by holding official public events for electoral campaigning purposes, including charitable events, or events that favour or disfavour any political party or candidate”.

⁹⁰ The Ministry of Interior informed the ODIHR EOM that five criminal investigations were launched during the campaign regarding suspected undue influence of voters, including by means of financial benefits; in two cases the charges were dismissed. In two observed examples, in Hajdú-Bihar County and Baranya County, *Fidesz* candidates posted on their Facebook pages that they had distributed food packages respectively to the elderly and to Roma. In Borsod-Abaúj-Zemplén county, the ODIHR EOM observed a representative of the LMP – Hungary’s Green Party distributing feminine sanitary products to Roma.

of intimidation, coercion and vote buying, as well as proactively work to deter such practices and educate voters on their rights and safeguards in place.

Women were largely not featured or addressed in the campaign. At the campaign events observed by ODIHR EOM LTOs, messages were rarely directed at women, and when gender-related issues were addressed, they were mainly appealing to ‘traditional family values’.

X. CAMPAIGN FINANCE

Party and campaign finance is regulated mainly by the 1989 Act on the Functioning and Management of Parties (Political Parties Act) and the 2013 Act on the Transparency of Campaign Costs for the Election of Members of Parliament (Campaign Finance Act).⁹¹ The legal framework remained largely unchanged since the last parliamentary elections, and recent amendments did not address longstanding recommendations by ODIHR and the Council of Europe’s Group of States against Corruption (GRECO), including those related to caps on individual donations, campaign finance disclosure and reporting, and third-party campaigning.⁹² Overall, legislative shortcomings and limited enforcement of the regulatory framework resulted in inadequate transparency and accountability of campaign finances.

Political parties and election campaigns are financed primarily through public funding, which contributes to providing equitable opportunities to election contestants.⁹³ Parties and candidates may also receive private donations from individuals and campaign using their own funds.⁹⁴ The law does not provide for disclosure of campaign donations, nor does it set any caps on individual donations to political parties for their regular activities or contestants for the campaign.⁹⁵ The lack of disclosure of donations maintains the opacity of campaign funding, at odds with international commitments and good practice.⁹⁶ The absence of caps on donations further heightens the risks associated with non-transparent channeling of funds into electoral campaigns.

⁹¹ Other relevant legislation includes the 2003 Act on Party Foundations, 2010 Media Act, 2011 Act on the State Audit Office, 2013 Act on Election Procedure, and 2016 Act on the Protection of the Townscape.

⁹² In its [2017 report](#) concluding the evaluation with respect to transparency of party funding in Hungary, GRECO expressed “regret that the legislative measures necessary to implement most of the recommendations have not taken place.”

⁹³ Political parties whose lists obtained at least 1 per cent of votes cast in parliamentary elections and their party foundations receive annual public subsidies. State subsidies for election campaigns are also provided to candidates in single-mandate constituencies (about HUF 1.2 million, or EUR 3,200, per candidate), and to entities nominating candidate lists for the national proportional contest. Nominators of party lists received between HUF 471 and 706 million (EUR 1.3 and 1.9 million; depending on the number of candidates), while nominators of minority lists were together entitled to some HUF 353 million (EUR 941,000; one third of this amount was divided equally among lists while two thirds were allocated in proportion to the number of registered voters for the given minority).

⁹⁴ Donations to political parties or contestants from legal entities, foreign individuals or states, as well as anonymous donations are prohibited.

⁹⁵ Donations to political parties exceeding HUF 500,000 (EUR 1,320) a year are identified in the parties’ annual reports. There is no requirement to disclose donations above a certain threshold in the contestants’ campaign finance reports.

⁹⁶ Article 7(3) of the [2003 UN Convention against Corruption](#) obliges states to make good-faith efforts to improve transparency in election and political party financing. See also paragraphs 264 and 265 of the [ODIHR and Venice Commission’s 2020 Guidelines on Political Party Regulation](#).

The law sets campaign spending limits.⁹⁷ However, their effectiveness was undermined by extensive third-party spending, which remains unregulated.⁹⁸ Such spending primarily benefitted the ruling parties and was not transparent, leaving campaign funders unknown to the public.⁹⁹ This lack of transparency was also facilitated by the legal framework, in particular with regard to campaign billboards. The 2016 Act on the Protection of Townscape provides for publication of contracts for billboard advertising concluded by state-subsidized bodies and entities, but the Act specifically excludes campaign materials. Substantial sums were spent on Facebook advertising, led by third-party entities associated with *Fidesz*.¹⁰⁰ In these circumstances, election campaign spending limits, which were generally regarded as too low by several ODIHR EOM interlocutors, provided further advantage to the incumbents.

No direct public funding is provided for referendum campaigns. Referendum initiators and political parties with a parliamentary group are entitled to indirect funding in the form of free airtime for political advertising in the public media. Referendum campaigners, including the government when initiating the referendum, are not subject to any financial disclosure or reporting requirements, at odds with international good practice.¹⁰¹ The law does not set a limit on the referendum campaigns spending, which might facilitate the circumvention of election campaign spending limits when elections are held concurrently with a referendum.¹⁰² The most visible referendum campaign was conducted by the government, but the amount spent was not made public.¹⁰³

To enhance the transparency and oversight of campaign finance, the legislation should be further reviewed to address previously identified gaps and ODIHR and GRECO recommendations. In particular, transparency of campaign funding should be strengthened by the disclosure of campaign donations exceeding a certain amount, with disclosure requirements applicable to any entities participating in election or referendum campaigns. To provide for a more equitable playing field, campaign spending by third parties and by referendum campaigners should also be subject to limits.

⁹⁷ Each independent candidate could spend up to HUF 5.9 million (EUR 15,700), while a party could spend up to HUF 5.9 million for each candidate, but no more than HUF 1.2 billion (EUR 3.2 million) for a party or alliance contesting all parliamentary seats.

⁹⁸ Several ODIHR EOM interlocutors opined that third-party spending should be regarded as an in-kind contribution to a party's campaign. In consideration of complaints, at least two CoECs ruled that third-party spending as such is prohibited by the Campaign Finance Act, but these rulings were overturned by the NEC, which held that election commissions have no jurisdiction over the matter.

⁹⁹ For instance, a highly visible negative campaign against Mr. Márki-Zay, with numerous billboards and posters across the country, was funded by a company set up by the NGO *CŐF-CŐKA*. *CŐF-CŐKA* acknowledged to the ODIHR EOM that it is regularly supported by the *Fidesz* party foundation and has received funding from state companies and a state-owned bank in the past but maintained that its negative campaign in these elections was funded from private contributions of individuals and companies. *Megafon*, one of the largest pro-*Fidesz* campaign advertisers on Facebook, did not respond to the ODIHR EOM's request for a meeting.

¹⁰⁰ Based on [Facebook](#) advertising disclosures, the ODIHR EOM calculated that between 5 March and 3 April, entities associated with the ruling party spent some HUF 716 million (EUR 1.9 million) on Facebook advertising; entities associated with the opposition spent some HUF 606 million (EUR 1.6 million). All political parties contesting the elections spent a combined some HUF 380 million (EUR 1.0 million).

¹⁰¹ Paragraph 24 of the Explanatory Memorandum of the Venice Commission's [Code of Good Practice on Referendums](#) recommends that "[a]s in the case of elections, funding must be transparent, particularly when it comes to campaign accounts."

¹⁰² Paragraph 2.2.h. of the Venice Commission's [Code of Good Practice on Referendums](#) advises that "[t]he principle of equality of opportunity can, in certain cases, lead to a limitation of spending by political parties and other parties involved in the referendum debate, especially on advertising."

¹⁰³ An official from the Prime Minister's office explained to the ODIHR EOM that government advertising contracts are routinely published; however, since the referendum campaign was not contracted separately but included with the government's information campaigns, its costs could not be calculated.

Election contestants must publish a statement on their campaign incomes and expenditures in the National Gazette within 60 days of election day. No reporting prior to election day is envisaged, limiting transparency. The State Treasury, which administers campaign subsidies for candidates and political parties, verifies spending only with respect to the subsidy for candidates in single-mandate constituencies, on the basis of reports submitted to it after election day.¹⁰⁴ The State Audit Office (SAO) audits the campaign finances of the candidates and list nominators who obtained parliamentary mandates. Those who did not obtain mandates may be audited only based on a request of other contestants, which may result in lack of accountability for the use of public funds.¹⁰⁵

The SAO has the power to verify the information submitted to it, but its mandate does not include monitoring campaign financing and it lacks the investigative capacity to ascertain actual campaign spending, thus falling short of international standards related to the oversight of campaign finance.¹⁰⁶ Several ODIHR EOM interlocutors questioned the impartiality of the SAO due to its track record of identifying irregularities primarily in the finances of opposition parties and the prior political affiliation of the SAO president.¹⁰⁷ These concerns were compounded by the absence of legal remedies against the SAO's conclusions.¹⁰⁸ During the campaign, the NEC dismissed multiple complaints related to possible campaign finance violations due to lack of jurisdiction, undermining the possibility of redress.¹⁰⁹

To ensure compliance with spending limits and other campaign finance regulations, the oversight authority should have the requisite monitoring and investigative capacities and could also be empowered to deal with related complaints.

XI. PARTICIPATION OF NATIONAL MINORITIES

According to the most recent national census in 2011, the largest national minority, Roma, comprised some 3.2 per cent of the population.¹¹⁰ The constitution provides additional safeguard to the national minorities, as a measure to promote national minority participation, minorities can win parliamentary representation under special provisions (see *Election and Referendum Systems*). For these elections, 12

¹⁰⁴ These reports are submitted within 15 days from the establishment of the official election results by the candidates themselves or by their party, if the subsidy was assigned by the candidate to the party.

¹⁰⁵ Nominators of candidate lists are therefore not audited automatically if they do not win any seats. The party list subsidy must be paid back if the list received less than one per cent of the valid votes cast for political parties. There is no requirement to pay back the minority list subsidy.

¹⁰⁶ Article 14.b of [Recommendation Rec\(2003\)4 of the Council of Europe's Committee of Ministers](#) on common rules against corruption in the funding of political parties and electoral campaigns advises that: "The independent monitoring should include supervision over the accounts of political parties and the expenses involved in election campaigns as well as their presentation and publication."

¹⁰⁷ Between 2010 and July 2022, the SAO was headed by a former MP and deputy leader of the *Fidesz* parliamentary faction, who resigned from his political positions after his appointment to the SAO. Following the audit of the 2014 election contestants, the SAO identified irregularities in the financing of two parties and one alliance from the political opposition; the audit of the 2018 election contestants revealed irregularities in the financing of four parties, all from the opposition.

¹⁰⁸ The Act on the SAO provides that its findings and conclusions cannot be contested before courts or other authorities. The Constitutional Court upheld this provision on two occasions in 2019 and 2020, indicating, however, that a judicial remedy is available against the enforcement of sanctions imposed by the State Treasury on the basis of SAO audits.

¹⁰⁹ The State Treasury and the SAO also do not have jurisdiction to address such complaints.

¹¹⁰ The second largest national minority, Germans, comprised 1.9 per cent. All others, including Romanians, Slovaks, Croats, and Serbs, comprised less than 0.5 per cent each. In the census, people may register more than one ethnicity. As a result, many people indicate membership of the Hungarian majority as well as their own national minority.

of the 13 national minority self-governments submitted candidate lists.¹¹¹ On these lists, 43 per cent of the candidates were women. Due to internal divisions, the Roma minority did not submit a list. Both the ruling party and the United for Hungary opposition bloc had Roma candidates in high positions on their respective lists for the proportional component of the elections.¹¹² Roma civil-society representatives expressed concerns to the ODIHR EOM that the current system of national minority self-government candidate lists fails in its intention of fostering meaningful national minority representation in parliament. Notably, an individual choosing to participate in the election as a minority voter has no opportunity to choose among alternative national minority candidates or lists. The measures currently in place do not guarantee genuine participation of national minorities in political life, contrary to recommendations made by the OSCE High Commissioner on National Minorities (HCNM).¹¹³

Further efforts should be undertaken by the authorities to ensure that measures for national minority representation promote meaningful participation of national minority representatives. Genuine consultation with national minorities should be sought in identifying effective measures.

United for Hungary addressed a range of issues concerning Roma in its electoral program. Several interlocutors, including Roma representatives, raised concerns with the ODIHR EOM about potential election violations in relation to the Roma community, including vote-buying. Concerns were also raised that alleged abuses of employment programs by mayors would potentially affect Roma, among other vulnerable voters (see *Campaign Environment*). Several ODIHR EOM interlocutors asserted that, as many Roma live in considerable poverty, there is often a high degree of dependency on such programs, as well as vulnerability to abuse of their electoral rights. The ODIHR EOM observed instances of negative rhetoric stigmatizing Roma at campaign events.¹¹⁴

XII. MEDIA

A. MEDIA ENVIRONMENT

The media are divided along political lines and operate in an increasingly concentrated market. The simultaneous transfer of the ownership of 476 media outlets, including the main regional print media, to the Central European Press and Media Foundation (KESMA) in 2018 was exempt from review by the competition authority by government decree.¹¹⁵ The change of ownership of the largest news portal *Index* and the subsequent shift of its editorial policies further increased concentration. Only a handful

¹¹¹ Representative of National Self-Government of Germans won a mandate in 2018 and 2022 elections and enjoys same rights as other MPs.

¹¹² There was one highly placed Roma candidate on the *Fidesz* list, and three on the United for Hungary list.

¹¹³ The 1999 [Lund Recommendations on the Effective Participation of National Minorities and Explanatory Note](#) recommend that states adopt “the system which would result in the most representative government in their specific situation. This is especially important for persons belonging to national minorities who might otherwise not have adequate representation.”

¹¹⁴ According to the Ministry of Interior, during the campaign period, three criminal complaints concerning the offence of incitement against a community were filed with the police; investigations were launched.

¹¹⁵ The government decree exempted this deal from review by the competition authority and the media regulator due to its “national strategic importance”. Previously, in 2017 the competition authority and the media regulator blocked the merger of *RTL Klub* with the online media holding *Central Digital Media Ltd*, and in 2011 blocked the merger of the Hungarian assets of *Ringier* with *Axel Springer*. Paragraph 8.18 of PACE Resolution 1636 (2008) “[Indicators for media in a democracy](#)” states: “Legislation must be enforced against media monopolies and dominant market positions.” See also CoE [Recommendation](#) CM/Rec(2018)1. The Constitutional Court found that “the intertwining of media companies, their fusion in the sense of economic and competition law - in terms of the creation and authorization of which the government has extensive powers due to its economic policy powers - does not necessarily mean an injury to the diversity of the press”.

of independent media operate at the national level. Journalists from media critical of the government noted numerous cases of smear campaigns targeting them in the pro-government media and online and in 2021 raised concerns regarding government-sanctioned surveillance of critical journalists.¹¹⁶

To stimulate media pluralism and diversity, measures to limit concentration of media should be considered, including enforcing existing legislation against media monopolies and dominant market positions.

The government and state-affiliated companies dominate the advertising market. The distribution of government advertising funds to media outlets mainly benefits outlets supporting the government, at times becoming their main source of revenue.¹¹⁷ Although the government informed the ODIHR EOM that the allocation of government funds is conducted by an advertisement agency based on the target group selected for an advertisement campaign, detailed or aggregated information on government advertising was not publicly available. A number of major national and regional online media outlets with whom the ODIHR EOM met linked the limited amount or absence of government advertising in their media to their independent editorial policy.¹¹⁸

The public broadcaster *Duna Média* operates seven television channels, seven radio stations and the country's only news agency. It is obliged by law to present different opinions and provide balanced, accurate and objective news coverage; however, it lacks editorial, organizational and financial independence. The content for *Duna Média* is created by a separate entity, the Media Services and Support Trust Fund (MTVA). MTVA is mainly funded from the state budget and was allocated some HUF 130 billion (EUR 340.3 million) for 2022, while *Duna Média* for 2022 was allocated HUF 1.8 billion (EUR 4.8 million) from the budget of MTVA. Several ODIHR EOM interlocutors, including former and current MTVA journalists, described an established system of censorship and external approval of editorial content.¹¹⁹ The media regulator and several interlocutors close to *Fidesz* explained that in Hungary public media is traditionally supporting the government.

B. LEGAL FRAMEWORK

Freedom of expression is guaranteed by the Constitution; however, the 2010 Act on Media Services and Mass Media (Media Act) has consistently been criticized by international institutions, including the Council of Europe, the Venice Commission and the OSCE Representative on Freedom of the Media

¹¹⁶ In July 2021, an investigative news portal reported about surveillance of a number of journalists and managers of media critical of the government, including *Direkt36*, *Átlátszó*, *Hvg.hu* and Central Media group. The National Authority on Data Protection and Freedom of Information publicly acknowledged that surveillance took place, and was carried out in compliance with the law.

¹¹⁷ According to monitoring of advertising conducted by the advertisement research agency *Kantar* based on list prices for advertising, the *Mediaworks* holding (part of KESMA), received over half of its revenue in 2020 and 2021 from the government and government-affiliated companies. Paragraph 8.19 of the PACE Resolution 1636 (2008) "[Indicators for media in a democracy](#)" states that "if media receive direct or indirect subsidies, states must treat those media fairly and with neutrality".

¹¹⁸ The monitoring of *Kantar* found that in 2020 and 2021, despite higher viewership *RTL Klub* received eight times less advertising from the government and government-affiliated companies, some HUF 4.05 and 4.03 billion (EUR 10.8 million and 10.7 million), respectively, than *TV2*, which received some HUF 34.2 and 31.9 billion (EUR 86.4 million and EUR 85.1 million), respectively. A number of regional journalists complained to ODIHR LTOs about similar discriminatory practices.

¹¹⁹ Paragraph 16 of [General Comment No. 34](#) to Article 19 of the ICCPR requires States Parties to "ensure that public broadcasting services operate in an independent manner" and to "guarantee their independence and editorial freedom."

(RFOM).¹²⁰ Access to public information is guaranteed by the legislation; however, the 2016 amendments to the Freedom of Information Act introduced undue restrictions on access to information by broadening the definition of information not subject to disclosure and by increasing the fee for handling information requests. In 2020, under its emergency powers, the government extended the deadline for responding to freedom of information requests from 15 to 45 days, which could be prolonged by an additional 45 days if required.¹²¹ Furthermore, many national and regional media outlets complained to the ODIHR EOM about limited access to public information, most state-organized press-conferences, and other activities of public interest that featured national and local government officials, at odds with international commitments.¹²²

Authorities should ensure, in a timely manner, access of the media to public information, events and documents and proactively put in the public domain information of public interest. The law should clearly define what information can be deemed as classified, restricting access only in limited and legally justifiable cases.

Although the media legislation obliges the broadcast media to provide fair and balanced political coverage, the editorial content is not explicitly regulated for elections or referendums. Free political advertisements were provided to election contestants in the public media, while the government, as the initiator of the referendum, and parliamentary parties were also entitled to free time for the referendum campaign.¹²³ Private national broadcasters may choose to provide free time for election and referendum campaigns; however, only *RTL Klub* chose to do so.¹²⁴

Paid political advertising in broadcast media is prohibited by the Constitution, but public-service advertising may be broadcasted. The vague definition of political and public-service advertising, especially in the context of two simultaneous campaigns, combined with the absence of clear guidance

¹²⁰ The OSCE RFOM [noted](#) that media legislation introduced since 2010 violates OSCE media freedom commitments and [media pluralism](#), and the Council of Europe Commissioner for Human Rights stated that it [negatively affects](#) free speech. In 2015, the [Venice Commission](#) called for the narrowing of content-related restrictions.

¹²¹ See [Decree 179](#) from 4 May 2020 and [Decree 521](#) of 25 November 2020. In a meeting with the ODIHR EOM, the National Authority on Data Protection and Freedom of Information acknowledged that some government ministries may have misused the available extension to hinder access to information requests. For example, on 17 March, it was reported in the media that the Prime Minister's Office invoked the additional 45 days to respond to an information request on whether the minister's chief of staff still works for the office. Also in 2020, public officials (including teachers and healthcare workers) were officially prohibited from talking to media as all the information related to COVID-19 and the related government response has been centralized.

¹²² While the government informed the ODIHR EOM that weekly press conferences of the Minister of the Prime Minister's Office are open to all journalists, many journalists noted that this press-conference is the only regular media event organized by the government. Paragraph 19 of [General Comment No. 34](#) to Article 19 of the ICCPR requires States Parties to "proactively put in the public domain Government information of public interest" and "make every effort to ensure easy, prompt, effective and practical access to such information." See also the 2009 Council of Europe [Tromsø Convention](#).

¹²³ Free airtime on the public media for the election and referendum campaigns was provided between 6:00 and 8:00, 12:00 and 14:00, and 18:00 and 20:00. It was used by all contestants except the United for Hungary opposition alliance and the Normal Life Party. Following verbal complaints about the lack of access and public protests by United for Hungary, MTVA provided each contestant which registered a proportional list or a national minority list with one five-minute time slot in their morning programming.

¹²⁴ Free airtime on *RTL Klub* was used by all contestants except the Normal Life Party. The parliamentary parties which were part of the United for Hungary alliance used the free airtime allotted for the referendum campaign to promote their candidates in the parliamentary elections. On 21 March, following a complaint by *RTL Klub*, the NEC prohibited this practice; on 28 March, the Supreme Court upheld this decision.

by the regulatory body, created legal uncertainty which resulted in *ad hoc* and contradictory interpretations by the NEC and courts.¹²⁵

The media regulatory body, the National Media and Info-communications Authority (NMHH), has broad oversight authority over the media. Although the NMHH conducts continuous media monitoring of the coverage of political actors, the methodology of such monitoring focused only on the quantity of coverage, without assessing the tone or other qualitative aspects. The NMHH informed the ODIHR EOM that it cannot act *ex officio* based on its monitoring, while the late publication of its results prevented any timely reaction to its findings.¹²⁶ Overall, the lack of initiative of the NMHH to address the issues during the campaign, together with long deadlines for the review of media-related complaints and appeals by the NMHH, resulted in contestants and media abstaining from interacting with the regulator and filing complaints and appeals to the NEC instead.¹²⁷

In order to provide for an effective system of appeal, the National Media and Info-communications Authority could be vested with the authority to review media-related complaints and be given the power to act ex officio on identified violations in a timely manner. The existing media monitoring could benefit from detailed measurements of the coverage of contestants, including the tone of such coverage, and from regular and timely publication of monitoring reports during the campaign period.



C. ODIHR EOM MEDIA MONITORING [Click Here to Read Media Monitoring Results](#)

The pervasive bias in the news and current-affairs programs of the majority of broadcasters monitored by the ODIHR EOM, combined with extensive government advertising campaigns provided the ruling party with an undue advantage. This deprived voters of the possibility to receive accurate and impartial information about the main contestants, thus limiting their opportunity to make an informed choice.¹²⁸ In particular, public *MI*, as well as private *TV2* and *Hír TV* displayed a clear bias in favor of the government and *Fidesz* by allocating 50, 54 and 37 per cent of politically relevant news coverage, respectively, to the government and 5, 11 and 14 per cent, respectively, to *Fidesz*, mainly positive in tone.¹²⁹ As a rule, such coverage lacked any clear distinction between coverage of the government and the ruling party.¹³⁰ United for Hungary received 43, 34 and 45 per cent

¹²⁵ The Law on Election Procedure defines political advertisement by referring to the definition in the Media Act, with the difference that political party, political movement and government is to be considered as well as nominating organization and independent candidate. The Media Act defines political advertisements as promoting or advocating support for a party, political movement, or the government, or promoting the name, objectives, activities, slogan, or emblem of such entities. It defines public interest advertising as a call or public interest message which does not constitute political advertising and does not serve financial interest and advertising purposes, and which seeks to influence the viewer or listener of a media service in order to achieve a public-interest objective.

¹²⁶ For example, the NMHH published the results of the monitoring of political actors for February and March only on 2 and 3 June.

¹²⁷ Under the Act on Election Procedure, the NEC has authority to assess complaints related to “participating in election campaigns of media service providers, the press and movie theatres in violation of the provisions of the Act on Election Procedure.” The CoECs adjudicate complaints concerning regional or local media providers.

¹²⁸ From 3 March until 2 April, the ODIHR EOM monitored the prime-time (18:00–24:00) coverage of *ATV*, *Hír TV*, *MI*, *RTL Klub*, *TV2*, as well as the websites *24.hu*, *444.hu*, *hvg.hu*, *Index*, *Origo* and *Telex*.

¹²⁹ On 28 March, the news program of *TV2* [published](#) on its official Facebook page an advertisement produced by the television in which their news presenters and senior members of the news department announced their support for Mr. Orbán. Furthermore, *TV2* (on 14 March) and *Hír TV* (on 2 April) aired during primetime a 125-minute feature film which portrayed former Prime Minister Mr. Gyúresány, as responsible for the violence and police brutality during protests in 2006, when he was prime minister.

¹³⁰ Paragraph 8.10 of CoE [Resolution](#) 2254 (2019) calls on member states to “guarantee the editorial independence of public service media, putting an end to any attempts to influence them or transform them into governmental media: the use of public service media to promote a specific political party or candidate must be classified as illegal misuse of public funds.”

of mainly negative coverage. Such coverage was often intertwined with comments and unsubstantiated allegations expressed by journalists who were personally attacking Mr. Márki-Zay.¹³¹ A similar trend was observed in talk shows and current-affair programs of *MI* and *Hír TV*.¹³²

By contrast, *RTL Klub* and *ATV* devoted 47 and 38 per cent and 15 and 13 per cent of mainly neutral, and to lesser extent negative coverage to the government and *Fidesz*, respectively. United for Hungary received 35 and 44 per cent of mainly neutral coverage. While *RTL Klub* did not offer any political coverage outside of the news, the talk shows and current-affairs programs on *ATV* were often used by United for Hungary as a platform to present their views and criticize the government. No debates among the main contestants were organized during the campaign, which further limited the opportunities for voters to make an informed choice.¹³³

To ensure balanced coverage, the law should be amended to require public and private broadcast media to cover the election campaign fairly and impartially in information and current affairs programmes. Media should clearly distinguish between the campaign activities of candidates and activities of public officials and coverage of such events. Public television should be given financial and editorial independence, including from the MTVA.

In the absence of paid political advertisement in the broadcast media, extensive government advertisement campaigns were reinforcing the main campaign messages of *Fidesz* by promoting economic achievements, family support, and national security.¹³⁴ Another government advertisement campaign displayed the potential consequences of a positive answer to one of the referendum questions.¹³⁵ Such campaigns, paid for from the state budget, further blurred the lines between the state and the party and provided *Fidesz* with an undue advantage, contrary to paragraph 5.4 of the 1990 OSCE Copenhagen Document.

¹³¹ For instance, on 2 April in the news of *Hír TV*, the program host, while introducing a news item about the opposition, stated that Mr. Márki-Zay “believes that for young people, blood is more important than oil”, while the left coalition was repeatedly characterized as “warmongering” and “inciting war.” Furthermore, *Hír TV*, *TV2* and *MI* were, while covering pre-election activities of Mr. Márki-Zay, continuously portraying him as ‘incoherent’, ‘arrogant’, ‘offensive’ and “confused by his own lies”. On 22 June 2021, the Constitutional Court ruled that for balanced editorial content it is not necessary to show the representatives of the opposite views, but only note that such views exist, identify those who hold them, and describe how such opinions are different. The European Parliament [resolution](#) of 3 May 2018 on media pluralism and media freedom in the European Union stresses “the need to guarantee full expression for all political actors” and “to base the amount of airtime they are given on public service broadcast channels on journalistic and professional criteria and not on their degree of institutional representativeness or political views.”

¹³² During the campaign, Mr. Márki-Zay was not part of any current-affairs programs on *MI* and was for the first time invited to an interview program on *MI* only 11 days after election day.

¹³³ On 11 March, Mr. Orbán, answering a question from an opposition MP regarding his participation in a debate, said: “There won’t be any debate because [...] your boss isn’t running.” ODIHR EOM LTOs reported that while a number of regional media outlets attempted to organize debates, they did not take place due to the decision of *Fidesz* candidates not to participate.

¹³⁴ In particular, ODIHR EOM media monitoring identified in the prime-time broadcasts of public *MI* and private *ATV*, *Hír TV* and *TV2* over 190 instances of the broadcasting of an 80-second advertisement commissioned by the government. This advertisement promoted national security and reinforced the main campaign messages of *Fidesz*. It was narrated by and extensively featured Prime Minister Orbán.

¹³⁵ ODIHR EOM media monitoring identified nearly a hundred instances of broadcasting of this advertisement in the prime-time broadcasts of private *ATV*, *Hír TV* and *TV2*. On 11 March, the Supreme Court ruled that this advertisement is not political advertisement. Meanwhile, on 11 March and 2 April, the NEC ruled that advertisements commissioned by Amnesty International calling on voters to invalidate their referendum ballot constitute political advertisement; the latter decision also concluded that such advertisement cannot be aired in the broadcast media since civil society organizations are not entitled to political advertising.

In order to provide a level playing field, consideration could be given to reducing the government advertising and banning the use of public-service advertisements by the national or local governments during campaign period. The placement of public-funded advertising should be based on predetermined, clear, equitable, objective and transparent criteria, and information on received public funding should be publicly available.

Among the monitored online media outlets, *Origo* (owned by *Mediaworks*) displayed a clear bias in favor of the government and against the main opposition coalition, while *444.hu*, *hvg.hu* and *Telex* were critical of the government and the ruling party and covered United for Hungary mainly in a neutral manner. *24.hu* covered both main contestants mainly in a neutral manner, with equitable proportions of positive and negative coverage. The coverage of *Index*, while also mainly neutral, was more positive towards the government, and more negative towards United for Hungary.

During the campaign, 19 main regional newspapers which are part of the *Mediaworks* holding published identical articles which criticized the opposition and Mr. Márki-Zay and promoted *Fidesz* candidates.¹³⁶ The same one-sided approach was utilized by a network of free newspapers, *City7*, which was published by *Mediaworks* since 2021 in 11 major cities with opposition-ruled councils, with the content adapted for each city. The publication of *City7* was discontinued shortly after election day. On 28 March, a number of national and regional news websites that belong to the *Mediaworks* holding had their main pages defaced with messages and video reports alleging government control over the media and posting interviews with the leader of United for Hungary.¹³⁷

XIII. COMPLAINTS AND APPEALS

The legal framework provides an opportunity to seek expedited legal remedy for election disputes.¹³⁸ Complaints concerning violations in single-mandate constituency elections, including against local media, are filed with CoECs, while complaints related to nationwide election issues are considered by the NEC. CoEC decisions on candidate registration can be appealed to the respective REC;¹³⁹ CoEC decisions on any other issues are appealed directly to the NEC. Requests for judicial review of NEC and REC decisions can be lodged with the Supreme Court, and Supreme Court decisions can be challenged to the Constitutional Court.¹⁴⁰ Complaints and appeals must be filed within three days, with the competent bodies having three days to adjudicate the matter.¹⁴¹ Some ODIHR EOM interlocutors noted a lack of trust in the impartiality of adjudicative bodies.

¹³⁶ For instance, on 2 April, all these newspapers published on their front pages an interview with Prime Minister Viktor Orbán under the headline “War or Peace”, in which he strongly criticized United for Hungary and called on voters to vote for *Fidesz*.

¹³⁷ A few hours after the defacing, the Minister of Justice [called](#) it a “left-wing cyber-attack”. During the week prior to election day, the websites *444.hu* and *telex.hu* reported about denial-of-service attacks (DDoS) on their websites that caused short-term disruptions in their operations.

¹³⁸ The dispute resolution process for referendums is the same as for elections.

¹³⁹ The 2018 amendments changed the jurisdiction to handle appeals against CoEC decisions on candidate registration from the NEC to RECs.

¹⁴⁰ A Venice Commission [opinion](#) critically assessed the 2019–2020 legislative changes related to the judiciary, including the new process for appointment of the Supreme Court president and its broad powers in allocation of cases to judges, noting “serious risks of politicization and important consequences for the independence of the judiciary” The [2020 European Commission Rule of Law Report](#), Hungary Chapter, stated that the “Government of Hungary has initiated and implemented several steps that have adversely impacted the independence and impartiality of judicial institutions in Hungary.”

¹⁴¹ In electoral matters, constitutional challenges against Supreme Court decisions must be filed within three days; the Constitutional Court has three days to decide on the admissibility of the appeal and three days to adjudicate it.

Contrary to a prior ODIHR recommendation, there is no guarantee to a public hearing of election-related complaints at any level of the election-dispute process.¹⁴² Complainants and respondents are not notified in advance that their case will be reviewed by the election commission, but if present at the session, the commission has the discretion to grant them a 2-minute statement on request. The ODIHR EOM observed the review of some 200 complaints and appeals, and in only two cases was the complainant heard. Hearings are not held for cases in the Supreme Court and Constitutional Court.

Amendments in 2018 narrowed the possibility to appeal decisions of election commissions to those citizens and legal entities whose rights are ‘affected by the case’, which Supreme Court case law referred to by the NEC in its decisions interpreted as a direct violation of the appellant’s rights, which for the most part does not apply to voters as they can only prove “abstract legal affectedness.” This unduly limited the right of all electoral stakeholders to seek effective legal remedy; the same legal standing rule applies to requests for judicial review to the Supreme Court, at odds with international standards.¹⁴³

The electoral dispute resolution framework should be reviewed and amended to guarantee that all voters have effective means to appeal against administrative decisions at any level of the election dispute resolution process.

The NEC deliberated on complaints and appeals in public sessions within established deadlines, and its decisions were promptly published on the NEO website, as were related Supreme Court decisions.¹⁴⁴ However, due to the lack of genuine deliberation in the open sessions of election commissions, the collegiality and transparency in the decision-making process for complaints and appeals was limited.

The NEC received 195 pre-election complaints and appeals. Most disputes related to campaign rules, including use of public position and resources to campaign, breach of campaign material rules, campaign finance, and election and referendum campaign advertisements.¹⁴⁵ A 2018 amendment that provides that the exercise of government functions under the law does not constitute campaigning was extensively used by adjudicating bodies to justify findings that public officials or the government did

¹⁴² Paragraph 12 of the [1990 OSCE Copenhagen Document](#) provides that “proceedings may only be held in camera in the circumstances prescribed by law and consistent with obligations under international law and international commitments.” In addition, see Guideline II 3.3 of the Venice Commission’s [Code of Good Practice in Electoral Matters](#).

¹⁴³ Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) states that “everyone will have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity.” Article 2.3(a) of the ICCPR states that “any person whose rights or freedoms as herein recognized are violated shall have an effective remedy [...]” Guideline II.3.3.3.f of the Venice Commission’s [Code of Good Practice in Electoral Matters](#) provides that “all candidates and all voters registered in the constituency concerned must be entitled to appeal.”

¹⁴⁴ While NEC decisions described the content of the complaints and appeals, the petitions themselves and related evidence were not made public, and in line with the Act on Election Procedure, the identity of individual complainants was not disclosed, undermining transparency in the dispute resolution process.

¹⁴⁵ The NEC received 18 complaints alleging campaign calls and SMSs to citizens by political parties, and 3 cases alleging that government campaign emails to citizens breached data protection rules. The National Authority for Data Protection informed the ODIHR EOM that it received more than 250 complaints during the election period, alleging receipt of unauthorized communications through various means in breach of data protection rules, most campaigning in favor of opposition parties and to a lesser extent in favor of the ruling party, including messages sent by the government. In response to complaints against a government email to citizens that included campaign messaging, the data protection authority on 2 April effectively ruled that as general consent to receive government information had been given when signing up for COVID-19 vaccination information, there was no limitation on the content of such communications.

not breach neutrality or misuse state resources in the campaign.¹⁴⁶ Some NEC decisions condoned the overlap between government and the ruling party.¹⁴⁷ Half of all complaints and appeals were denied consideration by the NEC on formal grounds.¹⁴⁸ The NEC did not consider the substance of complaints rejected on technical grounds *ex officio* under its general mandate to ensure the legality of the election process.¹⁴⁹ Moreover, some decisions lacked sufficient examination or sound and consistent reasoning, and some findings of violations were left without sanction.¹⁵⁰

To ensure effective legal remedy, the adjudicating bodies should avoid handling complaints in an overly formalistic manner. The NEC should be explicitly empowered to consider an issue on the merits ex officio when the complaint raises a valid point of concern. Election commissions should ensure sufficient examination of the cases before a decision is taken and ground their rulings in sound and consistent reasoning.

The interpretation of jurisdiction by adjudicating bodies in some cases was problematic.¹⁵¹ During the campaign, the NEC denied its jurisdiction over complaints related to campaign finance, mostly concerning third party campaigning and transparency of campaign spending.¹⁵² When challenged, the Supreme Court upheld the NEC decisions, which resulted in a lack of a clear avenue for legal remedy in more than 30 complaints and appeals.¹⁵³

¹⁴⁶ Decisions of different CoECs on this matter were not consistent, while on appeal the NEC overturned CoEC decisions that found misuse of public position.

¹⁴⁷ The NEC rejected 4 cases alleging that *Fidesz* campaign materials too closely resembled the government's information materials, on the grounds that the government as a referendum initiator is entitled to campaign; The NEC ruled that government posters that stated "Let's protect Hungary's peace and security" did not constitute campaigning, but rather were a legitimate government communication to citizens. The NEC rejected a case alleging that the prime minister campaigned at a state-funded National Memorial Day event on 15 March, on the grounds that no specific legal basis of violation was indicated.

¹⁴⁸ In total, 95 were found inadmissible and 12 were partially rejected. For example, 28 cases were rejected for missing personal data or not citing the precise legal basis, and 14 were denied for lack of legal standing, including one appellant who was contesting a CoEC decision on their complaint. Guideline II.3.3.b of the Venice Commission's [Code of Good Practice in Electoral Matters](#) states that "the procedure must be simple and devoid of formalism, in particular concerning the admissibility of appeals."

¹⁴⁹ The NEC informed the ODIHR EOM that it does not consider itself to have *ex officio* power. Guideline II.3.3.i of the Venice Commission's [Code of Good Practice in Electoral Matters](#) provides that "if the appeal body is a higher electoral commission, it must be able *ex officio* to rectify or set aside decisions taken by lower electoral commissions."

¹⁵⁰ In deciding on a complaint about a government email to citizens with explicit referendum campaign messages, the NEC found no violation of data protection rules on grounds that the concerned citizens had generally consented to receiving government information when signing up for COVID-19 vaccination information. In other cases, however, the NEC found that SMS campaigns to citizens in favor of a political party violated a rule that prohibits sending campaign messages via SMS (or email) without the express consent of voters. A decision that found that government referendum posters had been unlawfully placed over opposition candidate posters was left without sanction. In cases where the NEC found campaign poster violations and breach of data protection rules for sending unauthorized campaign communication to voters' phones, the concerned political parties were not sanctioned, on grounds that the responsible persons were unknown.

¹⁵¹ The NEC refused to accept jurisdiction in several cases regarding postal voting. Some CoECs took into consideration campaign finance complaints which on appeal the NEC decided was not within their jurisdiction. Some CoECs transferred complaints related to campaign material rules, which were under their jurisdiction, to the NEC.

¹⁵² Articles 14 and 208 of the Act on Election Procedure provide that "Election commissions shall ... ensure the lawfulness of elections" and that "objections [are to relate to] a breach of the laws related to elections [...]"

¹⁵³ On 5 April, the Constitutional Court denied consideration of complaints challenging the constitutionality of such Supreme Court decisions. Guideline II.3.3.c of the Venice Commission's [Code of Good Practice in Electoral Matters](#) provides that "the appeal procedures and in particular, the powers and responsibilities of the various bodies should be clearly regulated by law, so as to avoid conflicts of jurisdiction (whether positive or negative)."

To provide for effective remedy on campaign finance violations, the law should clearly prescribe which body is responsible for handling such complaints.

The Supreme Court received 13 appeals against REC decisions related to candidate registration and 55 cases against the NEC, most on its decisions on complaints and appeals; of these, 18 cases were rejected on technical grounds.¹⁵⁴ The Court fully or partially overturned 12 NEC decisions.¹⁵⁵ On request, the Constitutional Court reviewed 16 Supreme Court decisions, declaring three unconstitutional. The Constitutional Court's interpretation of the law when deciding to annul a Supreme Court decision that found that the government exceeded its functions and breached its duty of neutrality by criticizing the opposition for their views [over the war in Ukraine] in a government communication widely delivered to citizens, raised questions.¹⁵⁶ The court effectively authorized the government to engage in election campaigning. Overall, the handling of most cases by the adjudicating bodies fell short of providing effective legal remedy, contrary to OSCE commitments.¹⁵⁷

XIV. ELECTION OBSERVATION

The Act on Election Procedure does not provide for observation of the election process by citizen observers, contrary to OSCE commitments and despite previous ODIHR recommendations and international standards.¹⁵⁸ The lack of possibility for non-partisan observation detracts from the transparency of the election process and may undermine public trust in the proceedings and results.

Consideration should be given to amending the legislation to explicitly provide for observation of all stages of the electoral process by citizen observers, in line with OSCE commitments.

Several CSOs launched awareness and voter-education campaigns, as well as initiatives to recruit and train elected and party-delegated PSC members.¹⁵⁹ 20K22, a project run by the Foundation for Clean

¹⁵⁴ The appeals were mostly rejected due to lack of legal standing or legal representation at the court; appellants are not permitted to represent themselves in court. In a constitutional challenge in one such case, the Constitutional Court ruled that the requirement for legal representation in the judicial review process is not unconstitutional.

¹⁵⁵ In overturning one NEC decision, the Supreme Court ruled that party-delegated election commission members are not required to act politically neutral outside the work of the commission, while in another case, it upheld the NEC's ruling that elected members of commissions must remain neutral. In its subsequent decisions, the NEC referred to the former court ruling. In another case, the Supreme Court ruled that lowering campaign posters put on lampposts violated the principle of equal opportunity. The Court overturned a NEC decision that found a political party responsible for a data protection breach, on grounds that it cannot be established that the party actually sent the impugned campaign SMS in its favor.

¹⁵⁶ The Constitutional Court held that the war in Ukraine during a campaign period provided unique circumstances under which the government, in exercising its functions, was permitted to inform the public about the diverse views of "non-governmental actors" on the conflict. It found that as the communication did not reference "the elections, voting, or the names of specific parties," its reference to views of "the opposition" did not constitute campaigning. It held that the Supreme Court's finding was a "blatant error" that violated the press's freedom to disseminate information necessary for the formation of democratic public opinion and the government's right to a fair trial. The NEC referred to the court's ruling when deciding on cases related to similar issues.

¹⁵⁷ Paragraph 5.10 of the [1990 OSCE Copenhagen Document](#) provides that "everyone shall have an effective means of redress against administrative decisions, so as to guarantee respect for fundamental rights and ensure legal integrity."

¹⁵⁸ Paragraph 20 of the [General Comment No 25 to ICCPR](#). Paragraph 8 of the [1990 OSCE Copenhagen Document](#) states that OSCE "participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place."

¹⁵⁹ Domestic civil-society organizations organized a number of activities aimed at improving the scrutiny of the election procedures. Unhack Democracy launched a civic-awareness campaign and e-learning training to recruit more party-delegated PSC members. Let's Count Together produced more than 20,000 leaflets for party-delegated PSC members and also organized in-person and online trainings.

Elections with the aim to delegate PSC members on behalf of the joint opposition, recruited more than 27,000 volunteers; most of them were delegated by United for Hungary, while some were delegated on behalf of the Hungarian Two-Tailed Dog Party.¹⁶⁰ The Coalition for Clean Voting, comprising the Civil Liberties Union, Political Capital, the Civil College Foundation and *aHang*, provided civil awareness campaigns, legal help to voters, and election-day monitoring aimed at preventing irregularities in the vicinity of polling stations.

The law allows for party observers in limited cases. Political entities that registered national lists can observe the count of postal ballots and the aggregation of election results at the NEO, whereas up to two party observers could be present at the constituency level during tabulation. However, the law does not provide for party observers in polling stations, and their presence at the first level of tabulation at LEOs is not regulated.

Party-delegated members formed an integral part of the PSC composition, with *Fidesz* and United for Hungary delegating members in most polling stations.¹⁶¹ Parties delegated a total of 40,231 PSC members. *Fidesz* delegated 17,672 members, United for Hungary – 19,462, the Hungarian Two-Tailed Dog Party – 2,144, and Our Homeland – 888. Eight entities registered a total of 308 party observers at the constituency level.

For these elections, the NEO accredited a total of 906 observers from 39 international organizations, delegations and embassies. The criteria and process for accreditation of international observers is not regulated and NEO decisions on the accreditation were not public and there is no legal remedy against them. The ODIHR EOM was informed by the NEO that observers nominated by two international organizations were not registered.¹⁶² International observers are accredited by the NEO, with the right to observe all stages of the electoral process. While the process of accreditation of international observers was efficient and generally inclusive, it could benefit from more transparent procedures and decision-making, including in cases when accreditation requests are denied.

XV. ELECTION DAY

Election day was peaceful, with a final voter turnout of 70.2 per cent, as announced by the NEO following the counting of out-of-country and absentee ballots. The opening was assessed positively in 116 of the 117 polling stations observed by IEOM observers, and opening procedures were largely followed and the process was transparent. In two polling stations, the ballot boxes were not shown to be empty and sealed in the presence of the first voter as required, and in five instances, no control sheet was placed in the mobile ballot box before it was sealed.

IEOM observers assessed voting positively in 98 per cent of the 1,260 polling stations observed, characterizing the process as well organized, orderly, and smooth. The transparency of voting was assessed positively in almost all polling stations observed. However, the secrecy of the vote was often compromised, particularly in overcrowded polling stations. In 16 per cent of polling stations observed, not all voters marked their ballots in secrecy, and in 11 per cent they did not ensure that the mark on their ballots could not be seen. The design and positioning of voting booths in 32 per cent of polling

¹⁶⁰ 20K22 informed the ODIHR EOM that some LEOs were not cooperative and did not facilitate the process of nomination of party-delegated members.

¹⁶¹ According to the NEO, there were only two PSCs without any party-delegated members, in Baranya and Zala counties.

¹⁶² The NEO informed the ODIHR EOM that some observers were denied accreditation. In one case, an organization had nominated minors as observers; in another case, citizens of the Russian Federation put forward as observers by the Union of Informed Citizens were denied accreditation.

stations observed detracted from the secrecy of the vote. Voting procedures were largely respected, but group voting (multiple voters in the voting booth at the same time) was reported from 17 per cent of polling stations observed. Voters not using the voting booth, together with inadequate premises, overcrowding and group voting compromised the secrecy of the vote.¹⁶³

To ensure secrecy of voting and to prevent group voting, the election administration should establish and implement effective procedural safeguards.

Voter identification procedures were generally adhered to in the polling stations observed. In 16 per cent of polling stations observed, one or more voters were turned away, mostly because they were unable to produce a valid ID or could not be found on the voter list of that particular polling station. Furthermore, in 8 per cent of polling stations observed, the PSC did not provide all voters with envelopes when issuing ballots as required. IEOM observers reported only isolated cases of other violations. This included proxy voting (less than 1 per cent) or attempts to influence voters (1 per cent). In 1 per cent of polling stations observed, the same person was assisting numerous voters to mark their ballots. In 2 per cent of polling stations observed, the ballot boxes were not properly sealed.

IEOM observers reported overcrowding in 12 per cent of polling stations observed. Despite efforts by the election administration to improve accessibility, some 27 per cent of polling stations were not independently accessible for persons with physical disabilities, and in 12 per cent, the polling station layout was not suitable for these voters.

To facilitate equal and independent participation of voters with physical disabilities, the election administration should continue implementing measures to improve accessibility of polling stations and to ensure that the layout of polling stations is adequate for the conduct of polling.

IEOM observers reported very few cases of tension or intimidation in or around polling stations, and only isolated indications of organized transportation of voters, which is not allowed by law. In some 3 per cent of polling stations visited, campaign activities were noted within the 150 meters perimeter where such activities are forbidden. Observers also reported one incident where they observed strong indications of vote buying.¹⁶⁴

Party-delegated PSC members were present in 98 per cent of polling stations observed during voting hours, mainly representing *Fidesz* (97 per cent) and the United for Hungary opposition coalition (91 per cent). The presence of unauthorized persons was reported in 2 per cent of polling stations observed, with nine cases of unauthorized persons, mostly local government officials, interfering in the process. Overall, 67 per cent of PSC members in polling stations observed were women, and 76 per cent of PSCs observed were presided over by women.

The vote count was positively assessed in 94 of the 96 polling stations observed and described by IEOM observers as professional, well organized and orderly. Counting procedures were largely followed, and IEOM observers reported few procedural errors and omissions. The PSCs did not always follow reconciliation procedures before opening the ballot boxes, including summing up and recording the number of voters who voted for each type of election in the results protocols. When counting the ballots, some PSCs split into smaller groups to speed up the count, which is not in line with procedures. In 20 counts observed, the PSC did not note the reasons for invalidating ballots or sign invalid ballots as required. In some 30 cases observed, the validity of contested ballots was not decided by a vote. In 20

¹⁶³ Paragraph 7.4. of the [1990 OSCE Copenhagen Document](#) states that OSCE “participating states will ensure that votes are cast by secret ballot or by equivalent free voting procedure”.

¹⁶⁴ The incident occurred in Szabolcs-Satmár-Bereg county.

counts, results protocols had been pre-signed, and in 19 cases, IEOM observers did not receive copies of the results protocols upon request although they were entitled to them.¹⁶⁵

The tabulation process was assessed positively in 69 of the 74 LEOs observed. While tabulation procedures were generally followed, some problems with the data entry and reconciliation of election results were reported by IEOM observers. In almost half of LEOs where tabulation was observed, one or more PSCs needed to correct their results protocols. IEOM observers reported problems with the transparency of the tabulation process; in 12 cases, not everybody present had a clear view of the process, and in 6 LEOs, observers were restricted in their observations, as at times they were not provided access to the data entry or given requested information. The way tabulation was conducted varied across the different LEOs observed.

To increase transparency of the election process and to improve uniform implementation, tabulation procedures at the Local Election Offices should be better regulated. Consideration could be given to allow party observers to observe tabulation at the Local Election Offices.

The Ministry of Interior informed the ODIHR EOM that 19 criminal reports related to election day offences were filed with the police, including five cases of alleged undue influence of voters, two cases of reported harassment, six cases related to damage and theft, two cases of alleged public nuisance, and one reported incident of violence against an official. Most investigations were ongoing in the weeks following the election. The Coalition for Clean Voting, a CSO observing outside of polling stations, lodged some complaints to police and CoECs related to the harassment of its volunteers outside of polling stations, and to alleged organized voter transport, banned by the election law, and vote buying.¹⁶⁶

The NEC reviewed some 26 complaints and appeals related to election-day irregularities. Some cases were related to mobile voters who were not visited with the ballot box and to alleged organized transport of voters,¹⁶⁷ while other complaints related to campaigning within the restricted area around polling stations and polling stations members not automatically providing voters with referendum ballots.¹⁶⁸ The NEC rejected 14 cases on formal grounds and satisfied 6 complaints. In cases where the NEC found violations by PSC members, no sanctions were applied.

XVI. POST-ELECTION DAY DEVELOPMENTS

The post-election environment was calm, but several statements by political leaders reflected the deep political divisions and mistrust between the ruling coalition and the opposition that had been evident during the election campaign. While Mr. Orbán hailed the size of the ruling coalition's victory, Mr. Márki-Zay acknowledged defeat, pointing to the unlevel playing field. Some opposition figures called for a boycott of parliament unless certain conditions were met, especially regarding public-service media. Several opposition leaders, including Mr. Márki-Zay, did not take up their mandate from the national proportional list.

¹⁶⁵ Section 4 of the Act on Election Procedure specifies that international observers “may inspect the documents of the election commissions and request copies thereof, with the proviso that these copies shall not contain personal data.”

¹⁶⁶ A 2 April decision of CoEC 05 in Hajdú-Bihar county ordered a local government to take down its online notice on providing organized voter transport. Vote buying complaints alleged that voters in a settlement in Borsod-Abaúj-Zemplén county were offered HUF 10,000 (EUR 27) and voters in the town of Mako in Csongrád-Csanád county were offered five portions of pork meat.

¹⁶⁷ Article 143/A (2) of the Act on Election Procedure, prohibits organized transport of voters. All cases related to alleged bussing were rejected on merits, due to lack of evidence.

¹⁶⁸ The Supreme Court upheld a NEC decision that affirmed a CoEC decision issuing a fine against a United for Hungary candidate campaigning near a polling station.

The NEO started posting on its website detailed preliminary election results by polling station in the evening of election day. After the close of voting, the NEO commenced the counting of postal ballots returned from abroad via ballot scanners and published preliminary results for the postal vote. The final results for the postal vote were published as part of the NEC decision on final results on 14 April, after a manual count.¹⁶⁹ A total of 267,834 postal ballots were declared valid with some 94 per cent cast in favor of *Fidesz*. Some 16 per cent of returned out of country voting packages were declared invalid due to voters not being on the register, or missing or incorrect data. Out-of-country ballots cast at diplomatic representations and absentee ballots were sorted by the NEO and forwarded to the respective CoEOs; these ballots were counted on 9 April by designated PSCs.¹⁷⁰ Constituency results were announced on 8 and 9 April.

A total of 206,980 absentee and diplomatic envelopes were returned to the NEO. Following the count of these votes, the United for Hungary candidate won in Budapest constituency 13, reversing the preliminary 38-vote lead of the *Fidesz* candidate. United for Hungary also won one more seat from the proportional list, while Our Homeland lost one seat. Postal ballots were sorted centrally at the NEO premises in the week before election day, and counting began following the closing of polls on election day. Preliminary postal voting results were announced after a count using ballot scanning at the NEO premises. The ODIHR EOM observed a limited sample of the postal ballot counting procedures at the NEO. The counting process was managed efficiently by the NEO but did not ensure proper tracking of packages and security safeguards for handling the delivery of postal envelopes from abroad. Following the earlier announcement of the constituency results and the NEO report on the manual count of the postal vote, the NEC announced the final election results on 14 April 2022.¹⁷¹

The referendum was declared invalid as none of the four questions reached the required threshold of 50 per cent of registered voters casting a valid 'yes' or 'no' vote for the referendum to be declared valid and binding. The number of valid votes per question varied between 47.1 and 47.6 per cent of the total number of registered voters. Notably, some 20 per cent of referendum ballots cast were invalidated by the voters or otherwise found invalid.¹⁷²

Appeals against a PSC decision establishing election results must be submitted to the NEC as part of an appeal challenging the CoEC decision establishing the constituency results. Such an appeal shall refer to the unlawful decisions by the PSC or to a violation of the rules on aggregating polling station results and establishing the constituency election results. Petitions for judicial review of the NEC's decision establishing the national proportional results can be submitted to the Supreme Court. Under a 2018 amendment, appeals to the Supreme Court on the results must be filed within one day, and the court must adjudicate the appeal within one day. The unduly limited grounds and timelines for appeals of the

¹⁶⁹ Postal ballots were counted manually from 9 to 13 April.

¹⁷⁰ Absentee voters could cast their votes in 23 polling stations designated only for transferred votes from other locations and in an additional 3,154 hybrid polling stations. Absentee voters were able to cast a ballot for their resident constituency even if temporarily located outside their constituency.

¹⁷¹ [NEC decision 366/2022](#). The deadline for announcing the final election results is 19 days after election day, i.e. 22 April 2022.

¹⁷² See [NEO website](#).

CoEC and NEC decisions establishing the constituency and national proportional results, respectively, are at odds with international good practice.¹⁷³

To ensure the integrity of the election results, the law should give authority to the appeal bodies to annul election results at any level, including the final results of single-mandate and the national proportional contests, if any kind of proven malfeasance might have affected the outcome. Reasonable timelines for submission and adjudication of such complaints should be established to allow for sufficient preparation and proper consideration.

In the post-election period, the NEC received some 12 complaints and appeals. Two complaints were against the national proportional results; one complaint challenged the validity of the postal vote. All of those were rejected on formal grounds. Two cases challenged the NEC decision establishing the national list results to the Supreme Court; the court rejected one on formal grounds and one on merits, stating that the NEC decision establishing the national results cannot be challenged in connection with the activities of the NEO.¹⁷⁴ No constituency results were challenged to the NEC.

Six complaints were filed with the NEC after election day against 17 CSOs that had encouraged voters through social networks and websites to invalidate their referendum ballots. All but one of the complaints were filed by individuals whose identities were not disclosed. Citing only the principle of good faith noted in the Act on Election Procedure, the NEC concluded in its decisions that encouraging voters to vote invalid constitutes an unlawful act.¹⁷⁵ A HUF 3 million (approximately EUR 8,000) fine was issued against the organizers of these activities, and the signatory CSOs were fined 176.470 HUF (approximately 500 EUR) each. These decisions undermined rule of law and freedom of expression. Fourteen CSOs issued a joint statement announcing that they were appealing the fines to the Supreme Court.¹⁷⁶ Five NEC decisions were appealed. In three cases, the Supreme Court, referring to the Constitution, overturned the NEC decisions on grounds that they unlawfully curtailed freedom of expression which should be protected at a higher level during a campaign period and cannot be restricted on the basis of the purpose of the referendum.¹⁷⁷ The court rejected two cases on formal grounds, referring to a lack of legal reasoning. When the constitutionality of the Supreme Court decisions was challenged, the Constitutional Court stated that no constitutional rights were violated.

¹⁷³ Based on a 2018 amendment, the national proportional election results can be overturned on judicial review based only on errors in aggregation or violation of the rules for establishing the election result. Similarly, appeals challenging the CoEC decisions establishing the single-mandate constituency results can be based only on errors in aggregation or unlawful decisions by the PSCs. Guideline II.3.3.e of the Venice Commission's [Code of Good Practice in Electoral Matters](#) provides that "the appeal body must have authority to annul elections where irregularities may have affected the outcome." Guideline II.3.3.g and the Explanatory Report recommends time-limits for lodging and deciding appeals to be three to five days each at first instance and possibly a little more time for higher courts to issue their rulings.

¹⁷⁴ The appellant claimed that the NEO did not make public all relevant documents relating to the counting of postal ballots, and that some ballots were damaged and re-wrapped by the postal service.

¹⁷⁵ The NEC stated that encouraging voters to cast an invalid ballot not only undermines but also violates the constitutional purpose of the direct exercise of power through a referendum.

¹⁷⁶ Among other things, the [statement](#) asserted that the fines aimed "to silence the community which was able to overturn the government's propaganda referendum in a democratic way through their right to freedom of expression."

¹⁷⁷ The court acknowledged that voters are not prohibited to cast invalid ballots and that the constitutionally enshrined referendum system provides for an invalid referendum if the majority threshold of valid votes cast is not reached.

XVII. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to enhance the conduct of elections in Hungary and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with prior ODIHR recommendations which remain to be addressed.¹⁷⁸ ODIHR stands ready to assist the authorities of Hungary to further improve the electoral process and to address the recommendations contained in this and previous reports.

A. PRIORITY RECOMMENDATIONS

1. To ensure a coherent and sound electoral framework, the legislation should be reviewed to bring it further in line with OSCE commitments, international standards and good practice, well in advance of the next election period and on the basis of an inclusive and meaningful public consultation process.
2. To guarantee a level playing field, fair campaign and equality of opportunities, the legal and institutional framework should clearly prohibit the misuse of administrative resources, including the prohibition of state officials campaigning in their official capacity, and the barring of the initiation or announcement of new state spending during a pre-election period.
3. In order to provide a level playing field, consideration could be given to reducing the government advertising and banning the use of public-service advertisements by the national or local governments during campaign period. The placement of public-funded advertising should be based on predetermined, clear, equitable, objective and transparent criteria, and information on received public funding should be publicly available.
4. The electoral dispute resolution framework should be reviewed and amended to guarantee that all voters have effective means to appeal against administrative decisions at any level of the election dispute resolution process.
5. Authorities should ensure, in a timely manner, access of the media to public information, events and documents and proactively put in the public domain information of public interest. The law should clearly define what information can be deemed as classified, restricting access only in limited and legally justifiable cases.
6. To ensure effective legal remedy, the adjudicating bodies should avoid handling complaints in an overly formalistic manner. The NEC should be explicitly empowered to consider an issue on the merits *ex officio* when the complaint raises a valid point of concern. Election commissions should ensure sufficient examination of the cases before a decision is taken and ground their rulings in sound and consistent reasoning.

¹⁷⁸ According to paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations.” The follow-up of prior recommendations is assessed by ODIHR as follows: No recommendations from the final report on the 2018 parliamentary elections are fully or mostly implemented. The recommendations 5, 13 and 26 from the final report on the 2018 parliamentary elections are partially implemented. The recommendation 36 from the final report on the 2014 parliamentary elections is fully implemented. No recommendations from the final report on the 2014 parliamentary elections are mostly implemented. The recommendations 13, 15, 19 and 34 from the final report on the 2014 parliamentary elections are partially implemented. See also the [ODIHR Electoral Recommendations Database](#).

7. Consideration should be given to amending the legislation to explicitly provide for observation of all stages of the electoral process by citizen observers, in line with OSCE commitments.
8. To guarantee the equality of the vote, the legal framework for delimitation of constituency boundaries should be brought in line with international standards and good practice. Current boundaries should be redefined in line with such revised law and by an independent body in a transparent and inclusive manner well in advance of the next elections.
9. To ensure balanced coverage, the law should be amended to require public and private broadcast media to cover the election campaign fairly and impartially in information and current affairs programmes. Media should clearly distinguish between the campaign activities of candidates and activities of public officials and coverage of such events. Public television should be given financial and editorial independence, including from the MTVA.
10. To increase trust in the accuracy of the voter register and integrity of the election process, consideration could be given to regularly updating the data of voters residing abroad without domicile in Hungary.
11. To ensure equal suffrage, voter registration and voting procedures for out of country voters should be made uniform for all citizens abroad.

B. OTHER RECOMMENDATIONS

Legal Framework

12. To provide a fully democratic basis for the conduct of elections and conditions that enable full and equal participation for all election stakeholders, parliament should review the broader legal framework for compliance with international obligations and standards pertinent to fundamental, rights and freedoms that underpin a democratic election, including on judicial independence.
13. Consideration could be given to reviewing the use of cardinal status for election law provisions. To enhance legal certainty and contribute to consistent application of the election legislation, the National Election Commission could be empowered to adopt binding regulations. In addition, the Supreme Court could consider exercising its power to issue key uniformity decisions with respect to the application of election-related legislation.
14. Consideration should be given to review the referendum law to enhance legal certainty and bring it in line with international good practice for the holding of democratic referendums, including guarantees of equal campaign opportunities for the proponents and opponents, a ban on the use of state resources, and the provision of objective or balanced information to voters on the referendum issues.

Election Administration

15. To guarantee collegiality and transparency of the decision-making, consideration should be given to providing all commission members meaningful opportunities to contribute to the formulation of decisions. The decision-making process should be inclusive and open for deliberation of alternative proposals of all decisions.

16. Consideration should be given to amending the legislation to ensure cross-party participation in the NEC from the period of calling elections.

Voter Registration

17. Restrictions of the voting rights of persons with mental and intellectual disabilities, as well as distinctions in voting rights based on marital status, should be removed. Restrictions on voting rights of convicts should be reviewed to ensure that any limitation is clearly defined in the law and proportionate to the gravity of the crime committed.

Candidate Registration

18. Consideration could be given to introducing temporary special measures to promote women candidates, including legislative gender quotas for party lists that place women in winnable positions and access to public funding. Additionally, political parties could consider voluntary ways to further increase gender balance on their party lists and internal party structures and strengthen their efforts to foster inclusivity.
19. Consideration should be given to providing effective remedy and measures to address issues related to the falsification of supporting signatures or the misuse of personal data during the process of candidate nomination.

Campaign Environment

20. To enhance public confidence in the electoral process and create a free and fair campaign environment, public officials and electoral contestants should refrain from exercising pressure on voters or public employees, and the relevant authorities should take prompt and effective steps to investigate allegations of intimidation, coercion and vote buying, as well as proactively work to deter such practices and educate voters on their rights and safeguards in place.

Campaign Finance

21. To enhance the transparency and oversight of campaign finance, the legislation should be further reviewed to address previously identified gaps and ODIHR and GRECO recommendations. In particular, transparency of campaign funding should be strengthened by the disclosure of campaign donations exceeding a certain amount, with disclosure requirements applicable to any entities participating in election or referendum campaigns. To provide for a more equitable playing field, campaign spending by third parties and by referendum campaigners should also be subject to limits.
22. To ensure compliance with spending limits and other campaign finance regulations, the oversight authority should have the requisite monitoring and investigative capacities and could also be empowered to deal with related complaints.

Participation of National Minorities

23. Further efforts should be undertaken by the authorities to ensure that measures for national minority representation promote meaningful participation of national minority representatives. Genuine consultation with national minorities should be sought in identifying effective measures.

Media

24. To stimulate media pluralism and diversity, measures to limit concentration of media should be considered, including enforcing existing legislation against media monopolies and dominant market positions.
25. In order to provide for an effective system of appeal, the National Media and Information Authority could be vested with the authority to review media-related complaints and be given the power to act ex officio on identified violations in a timely manner. The existing media monitoring could benefit from detailed measurements of the coverage of contestants, including the tone of such coverage, and from regular and timely publication of monitoring reports during the campaign period.

Complaints and Appeals

26. To provide for effective remedy on campaign finance violations, the law should clearly prescribe which body is responsible for handling such complaints.

Election Day

27. To ensure secrecy of voting and to prevent group voting, the election administration should establish and implement effective procedural safeguards.
28. To facilitate equal and independent participation of voters with physical disabilities, the election administration should continue implementing measures to improve accessibility of polling stations and to ensure that the layout of polling stations is adequate for the conduct of polling.
29. To increase transparency of the election process and to improve uniform implementation, tabulation procedures at the Local Election Offices should be better regulated. Consideration could be given to allow party observers to observe tabulation at the Local Election Offices.
30. To ensure the integrity of the election results, the law should give authority to the appeal bodies to annul election results at any level, including the final results of single-mandate and the national proportional contests, if any kind of proven malfeasance might have affected the outcome. Reasonable timelines for submission and adjudication of such complaints should be established to allow for sufficient preparation and proper consideration.

ANNEX I: ELECTION RESULTS

| Total number of eligible voters: 8,215,304 | | | |
|---|-----------|--------------------------|---------|
| Total number of eligible voters per home constituency | 7,536,144 | Postal vote | |
| Voters at regular PS | 5,241,436 | Registered postal voters | 456,129 |
| Absentee and embassy voters | 206,980 | Received postal packages | 318,083 |
| Total number of voters voted | 5,711,925 | Valid postal packages | 268,766 |
| Invalid ballots | 57,065 | Postal ballots | 268,416 |
| Minority voters | 30,635 | Valid postal ballots | 267,834 |

| | National List Results | | | Constituency | Total | |
|---|--|----------------------------|--------------|---------------------|--------------|----------------------------|
| | Votes | Percentage of votes | Seats | Seats won | Seats | Percentage of seats |
| <i>Fidesz-KDNP</i> | 3,060,706 | 54.13 | 48 | 87 | 135 | 67.84 |
| United for Hungary (Democratic Coalition, <i>Jobbik</i> , Dialogue, Momentum, Hungarian Socialist Party, LMP – Hungary’s Green Party) | 1,947,331 | 34.44 | 38 | 19 | 57 | 28.64 |
| Our Homeland | 332,487 | 5.88 | 6 | 0 | 6 | 3.02 |
| Hungarian Two-Tailed Dog Party (MKKP) | 185,052 | 3.27 | 0 | 0 | 0 | |
| Solution Movement (MEMO) | 58,929 | 1.04 | 0 | 0 | 0 | |
| Normal Life Party | 39,720 | 0.70 | 0 | 0 | | |
| National Self-Government of Germans | 24,630 (minority preferential quota: 23,085) | 31,856 registered | 1 | 1 | 1 | 0.50 |

Source: [NEO website](#)

ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas, including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website (www.osce.org/odihr).



Amnesty international Hungary. report 2023*

Source: <https://www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/hungary/report-hungary/>



HUNGARY 2023 - AMNESTY INTERNATIONAL

A controversial new law was adopted aiming to further restrict the rights of teachers and silence their dissent. Bookshops were fined for breaching the homophobic and transphobic “Propaganda Law”. Asylum seekers were refused access to protection in the country. Parliament adopted judicial reforms in a bid to access suspended EU funds, although systemic deficiencies undermining the free speech of judges remained. The government’s commitment to reduce greenhouse gas emissions fell short of the EU targets.

Background

To regain access to EU funds suspended by the European Commission and the European Council, Hungary pledged to adopt and implement anti-corruption measures, amend legislation concerning the rights of LGBTI people, asylum seekers and refugees, restore academic freedom, and introduce reform to strengthen the independence of the judiciary. In response the EU institutions decided to restore Hungary’s access to parts of the cohesion fund. The government prolonged the state of emergency, using Russia’s ongoing aggression against Ukraine as a pretext to circumvent parliamentary decision-making and uphold its anti-immigration regime. Hungary came last in the European Implementation Network’s ranking of EU countries based on their implementation of leading judgments issued by the European Court of Human Rights (ECtHR), with 76% of judgments from the last 10 years not implemented.

Freedom of assembly and association

Police used tear gas multiple times in April and May to disperse students protesting against controversial legislation to further centralize the public education system and silence teachers voicing dissent. During a demonstration in May, police arrested and detained five protesters, four of them minors, for allegedly attacking police officers. Parliament adopted legislation dubbed the “Vengeance Act” in July, further restricting teachers’ autonomy and silencing their criticism towards educational policies.

Teachers fired for participating in acts of civil disobedience in 2022 took the state to court, seeking to overturn their dismissals and secure compensation.

Police banned seven protests expressing solidarity with people living in the Occupied Palestinian Territories under the pretext of protecting public safety, without meeting the legal threshold for the ban.

Despite severe criticism from the Council of Europe and NGOs, new legislation was adopted in December aiming to further silence critical voices and deter organizations from public participation in Hungary. The vaguely worded law created a new authority and tasked it with investigating organizations and individuals considered a “threat to national sovereignty”.

Discrimination

LGBTI people

Fifteen EU member states and the European Parliament intervened through the Court of Justice of the European Union (CJEU) to support LGBTI rights in an ongoing infringement procedure against the so-called “Propaganda Law” adopted in 2021. This law banned the “promotion and portrayal of homosexuality and gender change” in linear media services. The court case was pending at the end of 2023.

Authorities began to implement sanctions under the propaganda law by issuing fines to bookshops that displayed books depicting homosexuality in their youth literature sections and failed to sell them in closed packaging. One company appealed against the decision; the case was pending at the end of 2023.

In June, the ECtHR found that Hungary had violated the rights of transgender people by failing to provide an adequate procedure for legal gender recognition. The judgment related to a case that preceded the banning of legal gender recognition in 2020.

The Media Council refused to allow a TV commercial for the annual Budapest Pride festival and march on the grounds that it would “propagate homosexuality”. The organizers appealed against the decision; the case was pending at the end of 2023.

In July, a rainbow-coloured bench inaugurated to celebrate Budapest Pride was vandalized several times by football club supporters and far-right activists. The perpetrators graffitied “Stop LGBTQ” at the scene, referring to the government’s ongoing homophobic and transphobic campaign. A police investigation regarding the hate incident was pending at the end of 2023.

Women

In its periodic review of Hungary, the CEDAW Committee raised serious concerns about reproductive rights in the country, highlighting the limited access to safe and legal abortions and the government’s reinforcement of gender stereotypes. Hungary still had not ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which it signed in 2014. The 2023 Gender Equality Index, published by the European Institute of Gender Equality, ranked Hungary 26th out of the 27 EU member states based on its overall performance, and placed it last in the power domain.

Roma

Far-right groups organized a series of protests in Roma neighbourhoods to intimidate Roma people. Police did not put in place adequate measures to protect Roma people from harassment and threats. Racism and discrimination against Roma people in employment, housing and education persisted.

Refugees’ and migrants’ rights

The Council of Europe adopted an interim resolution exhorting Hungary to terminate and provide remedy for collective expulsions to Serbia. Summary returns of refugees and migrants continued throughout 2023, reaching 100,108 cases by the end of December.

In June, the CJEU ruled that Hungary had violated EU rules by restricting asylum seekers’ access to protection in its territory or at its borders. The government continued to uphold a system introduced in 2020 restricting people’s ability to claim asylum in Hungary; this was possible only if a so-called “letter of intention” was first filed and accepted at the Hungarian embassies in Belgrade or Kyiv. By the end of 2023, access to submit asylum

applications under this system had been granted in only 16 cases. The limitations did not apply to Ukrainian refugees, 40,605 of whom had been granted temporary protection since Russia's invasion of Ukraine in 2022.

The ECtHR delivered six judgments ruling that Hungary had violated the rights of refugees and migrants by arbitrarily detaining them and using excessive force against people at the border.

Right to a fair trial

The Committee of Ministers of the Council of Europe issued an interim resolution in March condemning Hungary for still not implementing the *Baka* judgment of 2016 to guarantee freedom of expression for judges and counter the chilling effect among them of restricting this freedom.

In May, Hungary adopted significant judicial reforms in order to access suspended EU funds. The reforms strengthened judicial independence and limited the formerly excessive powers of the National Office for the Judiciary, the administrative body of the justice system. However, an assessment by NGOs found that EU requirements had still not been fully addressed. Government officials and pro-government media continued to discredit judges on the National Judicial Council for voicing criticism of government policies that weakened the independence of the judiciary.

Right to a healthy environment

The Climate Change Performance Index found that Hungary had committed to reduce greenhouse gas emissions by 50% by 2030, falling short of the EU target of 55% or more.

People in several cities protested at their local governments against the opening of factories by China-based battery manufacturers without thorough environmental impact studies having been conducted.

Following a government decree in September, companies violating environmental requirements through industrial pollution were exempted from sanctions as long as they signed a contract pledging to refrain from further breaches.



Latest EU resolution on Hungary, the “Sovereignty Act”*

Source: <https://www.europarl.europa.eu/news/en/press-room/20240419IPR20579/rule-of-law-in-hungary-parliament-condemns-the-sovereignty-act>



RULE OF LAW IN HUNGARY: PARLIAMENT CONDEMNS THE “SOVEREIGNTY ACT”

Press Releases,
24-04-2024 - 18:45

- MEPs call for interim measures to suspend the law and protect free and fair elections
- Call on the Commission to revoke its incomprehensible decision to unfreeze EU funds
- The Hungarian Government “will not be able to credibly fulfil” its role at the helm of the Council

A new resolution on the state of EU values in Hungary pinpoints several concerns, especially given the upcoming elections and the Hungarian Presidency of the Council.

Wrapping up the plenary debate that took place on 10 April, Parliament adopted on Wednesday (399 votes in favour, 117 against, and 28 abstentions) its final resolution in the current legislative term assessing democracy in Hungary. The text denounces serious deficiencies related to the justice system, anti-corruption and conflicts of interest, media freedom, fundamental rights, the constitutional and electoral system, the functioning of civil society, the protection of the EU’s financial interests, and compliance with the single market principles.

Concerns about the Sovereignty Protection Office

Looking into the latest instances of the “persistent systemic and deliberate breach” of EU values in the country, Parliament condemns the adoption of the Protection of National Sovereignty Act and the establishment of the Sovereignty Protection Office (SPO). The SPO has “extensive powers and a strict system of surveillance and sanctions, which fundamentally violates standards of democracy [...] and breaches multiple EU laws”, Parliament says. MEPs ask the Commission to request the EU Court of Justice for interim measures to immediately suspend the law, as it affects the principle of free and fair elections.

An incomprehensible decision by the Commission

In light of all this, MEPs deplore the Commission's decision to release up to €10.2 billion frozen EU funds, which prompted Parliament to appeal to the EU Court of Justice. The recent leaked revelations by Hungary's former minister of justice should lead the Commission to revoke the disbursement of EU funds, the text states. Besides, MEPs stress that it is incomprehensible to release funds citing improvements to the independence of the judiciary, while funds covered by different EU laws remain blocked due to ongoing deficiencies in the same field.

Need to protect EU institutions

MEPs reiterate the need to determine whether Hungary has committed "serious and persistent breaches of EU values" under the more direct procedure of Article 7(2) instead of the Article 7(1) process that Parliament initiated in 2018 and that remains blocked in the Council. They also worry that the Hungarian Government will not be able to credibly fulfil its duties in the Presidency of the Council in the second half of 2024 and call yet again for a comprehensive mechanism to protect EU values.



European Parliament press releases and resolutions on Hungary

resolution

European Parliament resolution of 24 April 2024 on ongoing hearings under Article 7(1) TEU regarding Hungary to strengthen the rule of law and its budgetary implications (2024/2683(RSP)).

opinion

CDL-AD(2024)001-e Hungary - Opinion on Act LXXXVIII of 2023 on the Protection of National Sovereignty, adopted by the Venice Commission at its 138th Plenary Session (Venice, 15-16 March 2024).

press release

The Hungarian government threatens EU values, institutions, and funds, MEPs say - Press release (18/01/24).

resolution

European Parliament resolution of 18 January 2024 on the situation in Hungary and frozen EU funds (2024/2512(RSP)).

press release

The Hungarian government threatens EU values, institutions, and funds, MEPs say - press release (18/01/2024).

resolution

European Parliament resolution of 15 September 2022 on the proposal for a Council decision determining, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded (2018/0902R(NLE)).

**ECONOMIST
INTELLIGENCE**

One-click report: Hungary.
(Economist Intelligence)*

Source: <https://viewpoint.eiu.com/analysis/geography/XG/HU/reports/one-click-report>

One-click report : Hungary

September 9th 2024

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Political and economic outlook

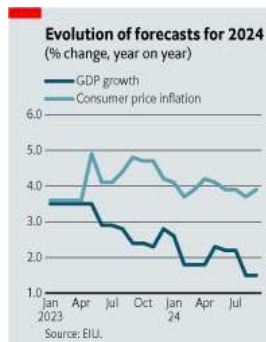
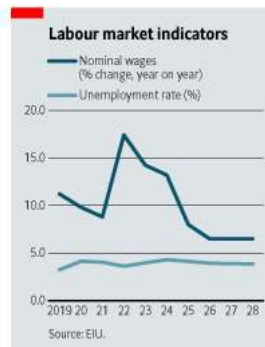
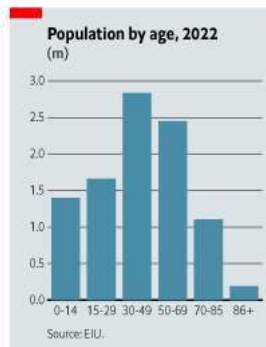
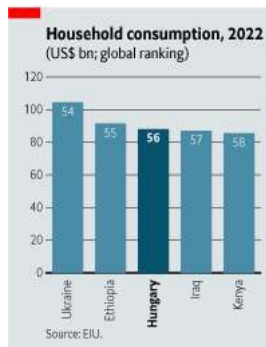
- Hungary is an export-oriented economy and is highly integrated with European supply chains. It is one of the leading destinations of foreign direct investment in central and eastern Europe, and specialises in the production of vehicles, electronics and machinery.
- The political environment is stable but dominated by the populist national-conservative Fidesz-Hungarian Civic Union (Fidesz). Decision-making is concentrated around the prime minister, Viktor Orban. In the middle of its fourth consecutive term with a supermajority in parliament, Fidesz is set to rule unchecked until at least early 2026.
- Fidesz advocates centralised governance, macroeconomic stability and intervention in the economy. In sectors that it deems strategically important, the government inhibits competition and actively favours allied businesses and cronies. Otherwise, the business environment is favourable to foreign investors, especially in high-value-added industries.
- Hungary's economic recovery is stuttering, hampered by slow growth in important western European trading partners, notably Germany. A continued rebound in household spending and slow recovery in western Europe will drive stronger growth in 2025, but the likely election of Donald Trump as US president will hinder growth, especially in 2026-27.
- EIU expects the weak forint to begin strengthening against the euro in 2025. Monetary loosening by the European Central Bank, combined with growth differentials that will move strongly in Hungary's favour, will support a stronger forint in the medium term.
- The National Bank of Hungary (NBH, the central bank) has cut its policy rate by 625 basis points since October 2023, but took a pause at its August meeting. Sticky inflation will slow the pace of future loosening, with the policy rate falling to 3% in early 2028.
- The EU continues to withhold about €20bn (US\$21bn) in cohesion and recovery funds. To secure their release, Hungary will need to demonstrate progress on a number of conditions, but will continue to use its veto in foreign policy matters as a bargaining chip.

Key indicators

| | 2023 ^a | 2024 ^b | 2025 ^b | 2026 ^b | 2027 ^b | 2028 ^b |
|------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Real GDP growth (%) | -0.7 | 1.5 | 2.9 | 3.6 | 3.5 | 3.2 |
| Consumer price inflation (av; %) | 17.1 | 3.9 | 3.3 | 3.1 | 2.9 | 2.9 |
| Government balance (% of GDP) | -6.7 | -5.1 | -4.2 | -3.4 | -2.9 | -2.9 |
| Current-account balance (% of GDP) | 0.3 | 1.7 | 1.5 | 0.8 | 0.5 | 0.4 |
| Short-term interest rate (av; %) | 14.3 | 7.3 | 5.7 | 4.8 | 3.7 | 3.3 |
| Unemployment rate (%) | 4.0 | 4.3 | 4.1 | 3.9 | 3.9 | 3.9 |
| Exchange rate Ft:US\$ (av) | 353.1 | 363.7 | 360.6 | 358.0 | 359.0 | 358.0 |

^a Actual. ^b EIU forecasts.

Market opportunities



Key changes since August 2nd

- Owing to strong real wage gains, private consumption growth on a seasonally adjusted basis averaged over 4% in the first half of 2024. We now expect private consumption to grow by 4.2% in 2024 (3.8% previously) but to slow to 3.8% in 2025 (previously 4.1%).
- Gross fixed investment fell by an average of 11% in the first half of 2024, as weak external demand hits business sentiment. We expect fixed investment to decline by 7.8% for the year (previously 0.5%) and to bounce back more slowly in 2025, by 3.1% (previously 5.1%).
- With government spending also contracting in real terms, domestic demand will remain weak in 2024. Import volumes will contract by more than export volumes. We expect the current-account surplus to average 1.6% of GDP (1.1% previously) in 2024-25.
- The central bank paused its rate-cutting cycle in August, leaving its policy rate at 6.75%. We now expect cuts of only 50 basis points for the rest of the year, taking the policy rate to 6.25% by end-2024 (previously 5.5%), with borrowing costs remaining higher for longer

The month ahead

- September 24th—Interest-rate decision: The NBH will publish its quarterly inflation forecasts. These will give a clear indicator as to the pace of monetary loosening, which we have long expected to slow significantly, as inflation remains above the NBH's target range of 3% (±1 percentage point).
- October 1st—Manufacturing Purchasing Managers' Index (PMI): Manufacturing PMI has fallen steadily since April and is squarely in contractionary territory. We do not expect a significant uptick in October, which underpins our forecast that gross fixed investment will remain weak for the rest of the year.

Major risks to our forecast

| Scenarios, Q2 2024 | Probability | Impact | Intensity |
|---|-------------|-----------|-----------|
| The government fails to reach a compromise with the EU over the rule of law, leaving substantial funds from the bloc frozen | Very high | High | 20 |
| A failure to rein in the budget deficit forces the government to raise taxes | High | High | 16 |
| The US Federal Reserve keeps rates higher for longer, causing the forint to weaken significantly | High | High | 16 |
| Rampant cronyism limits EU funding and opportunities for foreign firms | Very high | Moderate | 15 |
| A trade war breaks out between the EU and China | Moderate | Very high | 15 |

Note. Scenarios and scores are taken from our Operational Risk product. Risk scenarios are potential developments that might substantially change the business operating environment over the coming two years. Risk intensity is a product of probability and impact, on a 25-point scale.

Source: EIU.

Forecast summary

[Hungary](#) | [Economy](#) | [Forecast](#) | [Forecast summary](#)

September 9th 2024

Forecast summary

(% unless otherwise indicated)

| | 2023 ^a | 2024 ^b | 2025 ^b | 2026 ^b | 2027 ^b | 2028 ^b |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| Real GDP growth | -0.7 | 1.5 | 2.9 | 3.6 | 3.5 | 3.2 |
| Industrial production growth | -5.5 | -1.5 | 4.5 | 4.3 | 3.3 | 2.9 |
| Gross agricultural production growth | 68.7 | -3.7 | 3.6 | 1.7 | 2.3 | 1.9 |
| Unemployment rate (av) | 4.0 | 4.3 | 4.1 | 3.9 | 3.9 | 3.9 |
| Consumer price inflation (av; national measure) | 17.1 | 3.9 | 3.3 | 3.1 | 2.9 | 2.9 |
| Consumer price inflation (end-period; national measure) | 5.5 | 4.8 | 3.2 | 3.0 | 2.9 | 2.9 |
| Consumer price inflation (av; EU harmonised measure) | 17.1 | 3.9 | 3.4 | 3.1 | 3.0 | 3.0 |
| Short-term interbank rate | 15.3 | 9.4 | 7.4 | 6.1 | 5.0 | 4.5 |
| General government budget balance (ESA; % of GDP) | -6.7 | -5.1 | -4.2 | -3.4 | -2.9 | -2.9 |
| Exports of goods fob (US\$ bn) | 136.4 | 135.8 | 146.6 | 156.5 | 165.5 | 182.0 |
| Imports of goods fob (US\$ bn) | 136.1 | 129.7 | 141.4 | 152.6 | 162.4 | 179.5 |
| Current-account balance (US\$ bn) | 0.6 | 3.6 | 3.4 | 2.0 | 1.3 | 1.1 |
| Current-account balance (% of GDP) | 0.3 | 1.7 | 1.5 | 0.8 | 0.5 | 0.4 |
| External debt (end-period; US\$ bn) | 279.2 | 286.4 | 289.6 | 291.4 | 293.6 | 297.0 |
| Exchange rate Ft:US\$ (av) | 353.1 | 363.7 | 360.6 | 358.0 | 359.0 | 358.0 |
| Exchange rate Ft:US\$ (end-period) | 346.4 | 365.1 | 357.5 | 359.5 | 358.5 | 357.0 |
| Exchange rate Ft:€ (av) | 381.8 | 393.0 | 387.7 | 381.3 | 379.6 | 375.9 |
| Exchange rate Ft:€ (end-period) | 382.8 | 394.3 | 382.5 | 381.1 | 376.4 | 374.9 |

^a Actual. ^b EIU forecasts.

**This is an excerpt. For the full article, follow
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LGBTQ Equality at a Crossroads: Progress and Challenges (FRA)*

Source: https://fra.europa.eu/sites/default/files/fra_uploads/lgbtiq_survey-2024-country_sheet-hungary.pdf

EU LGBTIQ survey III

LGBTIQ Equality at a Crossroads: Progress and Challenges



Country Data - Hungary

EU LGBTIQ SURVEY

- The online survey draws on 100,577 responses from across 30 countries – the 27 EU Member States, Albania, North Macedonia and Serbia.
- See our methodology Q&A for more about how FRA did the survey. Results based on a small number of responses are statistically less reliable. Thus, results based on 20 to 49 unweighted observations in a group total or based on cells with fewer than 20 unweighted observations are noted in parentheses. Results based on fewer than 20 unweighted observations in a group total are not published.
- Follow #LGBTIQsurvey across FRA’s social media channels.
- Respondents’ quotes from Hungary are also included.

Symbols

- ↑ Shows that the result in the country is above the EU-27 average
- ↓ Shows that the result in the country is below the EU-27 average
- Shows that the result in the country is the same or at similar levels with the EU-27 average

- **Openness about being LGBTIQ**

“The continuous negative propaganda and incitement of hatred in the public media is highly anxiety-inducing and prompts many to self-censor,” Hungary, Lesbian woman, 36.

↑ 71% avoid often or always holding hands with their same-sex partner in Hungary. For the EU-27 it is 53%.

↑ 39% in Hungary avoid often or always certain locations for fear of being assaulted. For the EU-27 it is 29%.

↓ 39% are now fairly or very open about being LGBTIQ in Hungary. For the EU-27 it is 51%.

- **Discrimination**

“I haven’t experienced discrimination against my person since I am not open about my sexual orientation, but I experience micro-aggression and discriminative comments towards queer people daily,” Hungary, Pansexual woman, 17.

“My whole life as long as I can remember I have been abused and discriminated for not fitting into a gender-binary,” Hungary, Gay non-binary, 22.

→ 23% felt discriminated against at work or looking for work in the year before the survey in Hungary. For the EU-27 it is 19%.

→ Discrimination affects many areas of life, such as going to a café, restaurant, hospital or to a shop. Overall, in Hungary in 2023 40% felt discriminated against in at least one area of life in the year before the survey. For the EU-27 it was 37%.

- **Violence and harassment**

“I trust people less and less and many times I don't feel safe. I don't dare to express my belonging and support by, say, carrying a rainbow bag, because I'm afraid of negative comments and violence. Because of this I can't show others that they are safe with me,” Hungary, Lesbian non-binary, 20.

→ 14% of all respondents in Hungary had been attacked in the 5 years before the survey. The EU-27 is 13%.

→ 6% of respondents in Hungary had been attacked in the 12 months before the survey. The EU-27 is 5%.

→ 57% in Hungary say they were harassed the year before the survey. The EU-27 is 54%.

- **Reporting of hate-motivated violence and discrimination**

↓ 3% went to the police in Hungary to report physical or sexual attacks. It is 11% across the EU-27.

↓ 6% reported their discrimination experiences to an equality body or another organisation in Hungary. For the EU-27 it is 11%.

- **Bullying and conversion abuse or humiliation**

→ In Hungary 69% of all respondents say that during their time in school they suffered bullying, ridicule, teasing, insults or threats because they are LGBTIQ. For the EU-27 it is 67%, a steep increase compared to 2019 (43%).

↑ 34% of respondents in Hungary experienced a so-called ‘conversion’ practice in order to make them change their sexual orientation and/or gender identity. For the EU-27 it is 24%.

- **Intolerance and prejudice**

“The primary source of abuse is that I am a second-class citizen, sometimes I don't even feel like a real person, and this situation is getting worse every week,” Hungary, Pansexual man, 35.

“I feel betrayed, used and limited. Especially since I don't live in the capital city. My mental health is at risk by what is going on in this country against gays,” Hungary, Gay man, 38.

→ 63% in Hungary say that violence against LGBTIQ people has increased. This is 59% for the EU-27.

↑ 74% in Hungary say that LGBTIQ prejudice and intolerance has risen in their country in the last five years. It is 53% across the EU-27.

↓ 3% in Hungary believe their national government effectively combats prejudice and intolerance against LGBTIQ people. For the EU-27 it is 26%.

- **Health**

→ 10% of LGBTIQ respondents in Hungary felt discriminated against in healthcare in the year before the survey. For the EU this is 14%.

→ 14% of LGBTIQ respondents in Hungary thought often or always of committing suicide in the year before the survey. For the EU this is 12%.

- **Schooling**

“You can't talk about LGBTQ issues in schools anymore, books like that are wrapped in foil, and who knows what will happen next... Being LGBTQ here isn't particularly dangerous, it's just sad,” Hungary, Bisexual woman, 18.

↑ 56% of LGBTIQ students in Hungary say were hiding being LGBTIQ at school. This was 49% in the EU-27.

↓ 25% of LGBTIQ students in Hungary say that in school someone often or always supported, defended or protected their rights as an LGBTIQ person. This was 32% in the EU-27.

↑ 68% of LGBTIQ respondents in Hungary say their school education never addressed LGBTIQ issues. In the EU-27 this was 62%.



Roma in 10 European Countries (FRA)*

Source: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results2_en.pdf

ROMA IN 10 EUROPEAN COUNTRIES

MAIN RESULTS

ROMA SURVEY 2021



Foreword

Exclusion, deprivation, discrimination and racism – this remains the reality for too many of Europe’s Roma in their daily lives. It saddens us to see that yet again, six years on since we last reported from these countries on our Roma survey findings, not much has changed.

The Covid-19 pandemic threw our world off balance. Its deprivations have affected many people across Europe. But it is only now that we can see its long-term impact. It is increasingly obvious that the primary victims of the pandemic are the most vulnerable in our societies, especially Roma communities.

Think of the Roma child whose education stalled as she could not join her classmates online for remote schooling. Or think of the Roma worker who could not provide for his family, as earnings dwindled as he was no longer employed.

For them, and millions like them, the cycle of poverty and exclusion continues to turn. And today’s cost-of-living crisis will undoubtedly cause further suffering.

Fortunately, there are also green shoots of hope. Our findings identify some areas where there are improvements overall. The first is that less Roma now live in poor housing, and more Roma are now aware of their national equality body. This means they know where they can go to complain.

Furthermore, there is the European Union’s 10-year plan to support Roma: the EU Roma Strategic Framework for equality, inclusion and participation. It sets out clear minimum targets for Member States in terms of fighting antigypsyism and discrimination, reducing poverty and exclusion, and promoting Roma participation through empowerment. EU countries have to achieve these targets by 2030.

To ensure progress, Member States are tasked to develop national strategies and report on how they are doing every two years.

With this report, the EU Agency for Fundamental Rights (FRA) provides the baseline data that allow the EU and its Member States to assess the effectiveness of the 10-year plan. It is in this spirit that we call on Member States to find meaningful ways to deliver on the protection of fundamental rights of the Roma community, by regularly collecting such data to take stock of their progress.

Therefore, Roma rights not to be discriminated against, not to be subjected to acts of violence in any case, including because of their identity, these fundamental rights and all the others – the right to decent housing, right to water, and the right to acceptable levels of healthcare, access to education – if we cannot enforce those, then they are empty rights.

So, let us work together, shoulder-by-shoulder with Roma communities, and show them we are both willing and able to break the cycle of exclusion that has held back Europe’s largest and most marginalised ethnic minority group for too long now.

FRA stands ready to help and support Member States in their efforts to make human rights a reality for all, including and particularly for Roma in the EU.

Michael O’Flaherty
Director

Abbreviations

| | |
|-------------------------|---|
| BNSI/FRA 2020 | National Statistical Institute of the Republic of Bulgaria and FRA 2020 |
| Charter | EU Charter of Fundamental Rights |
| COVID-19 | coronavirus disease 2019 |
| EU-27 | 27 EU Member States as of 2020 |
| EU-MIDIS II | Second European Union Minorities and Discrimination Survey |
| EU-SILC | European Union Survey on Income and Living Conditions |
| EU-SILC MRK 2020 | European Union Survey on Income and Living Conditions in Marginalised Roma Communities 2020 |
| NEET | not in education, employment or training |
| OECD | Organisation for Economic Cooperation and Development |

Country codes

| | |
|-----------|-----------------|
| BG | Bulgaria |
| CZ | Czechia |
| EL | Greece |
| ES | Spain |
| HR | Croatia |
| HU | Hungary |
| IT | Italy |
| MK | North Macedonia |
| PT | Portugal |
| RO | Romania |
| RS | Serbia |
| SK | Slovakia |

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Why is this survey needed?

“Where is the essence of humanity when every single day Roma people are excluded from society and others are held back simply because of the colour of their skin or their religious belief?”

von der Leyen, U. G. (2020), *Building the world we want to live in: A Union of vitality in a world of fragility*, State of the Union address by President von der Leyen at the European Parliament Plenary, Brussels, 16 September 2020

Roma are among the people who are most vulnerable to human rights violations in the European Union (EU). The EU Agency for Fundamental Rights (FRA) has consistently demonstrated this using robust statistical data since 2008. The results of FRA’s surveys in 2008,¹ 2011,² 2016³ and 2019⁴ show that the EU’s and Member States’ efforts result in limited and uneven progress. The surveys show the persisting impact of antigypsyism and the problems many Roma and Travellers face in enjoying their fundamental rights regarding employment, education, healthcare and housing.

The communication of the European Commission from October 2020⁵ set out the EU Roma framework for equality, inclusion and participation up to 2030, which aims to achieve effective equality, inclusion and participation. It asks FRA to provide data and background information on progress towards Roma inclusion in EU Member States, which should be collected on a regular basis. A year later, the 2021 Council recommendation on Roma equality, inclusion and participation⁶ called on Member States to make use of the portfolio of indicators⁷ developed jointly by FRA, the Commission and the Member States.

The Roma Survey 2021 provides comparable data on the actual impact of EU and national anti-discrimination, anti-racism and equality legislation policies (including policies on reducing poverty and on social inclusion). For some countries, the data allow analysis of trends over time.

On terminology

‘Roma’ is used as an umbrella term, according to the definition of the Council of Europe. It encompasses Roma, Sinti, Kale, Romanichals, Boyash/Rudari, Balkan Egyptians and Eastern groups (Dom, Lom and Abdal); groups such as Travellers, Yenish and the populations designated under the administrative term *Gens du voyage*; and people who identify themselves as Gypsies. FRA, like the Council of Europe, adds the term ‘Travellers’ as necessary to highlight actions that specifically include them.

Source: Council of Europe (2012), *Descriptive glossary of terms related to Roma issues*, Strasbourg, Council of Europe, version dated 18 May 2012

- ¹ FRA (2009), *EU-MIDIS: Data in focus report: The Roma*, Luxembourg, Publications Office of the European Union (Publications Office).
- ² FRA (2012), *The situation of Roma in 11 EU Member States – Survey results at a glance*, Luxembourg, Publications Office.
- ³ FRA (2017), *EU-MIDIS II: Second European Union Minorities and Discrimination Survey – Main results*, Luxembourg, Publications Office.
- ⁴ FRA (2020), *Roma and Travellers in six countries: Roma and Travellers Survey*, Luxembourg, Publications Office.
- ⁵ European Commission Communication (2020), *A Union of equality: EU Roma strategic framework for equality, inclusion and participation*, COM(2020) 620 final, Brussels, 7 October 2020.
- ⁶ Council of the European Union (2021), *Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation*, OJ 2021 C 93.
- ⁷ European Commission (2020), *Annex to the communication from the Commission to the European Parliament and the Council: A Union of equality: EU Roma strategic framework for equality, inclusion and participation*, SWD(2020) 530 final, Brussels, 7 October 2020.

The EU policy framework on Roma equality, inclusion and participation is guided by international human rights law, the EU's fundamental values reflected in the EU treaties and the EU Charter of Fundamental Rights,⁸ and EU secondary legislation such as Directive 2000/43/EC on racial equality.⁹ Moreover, the EU Roma framework reflects the United Nations (UN) Sustainable Development Goals and the core principle of leaving no one behind.¹⁰ The framework's principles and targets correspond to the principles of the European Pillar of Social Rights.¹¹

NEED FOR DATA: MONITORING THE EUROPEAN UNION ROMA FRAMEWORK

In 2020, FRA launched a survey on Roma in eight EU Member States (Croatia, Czechia, Greece, Hungary, Italy, Portugal, Romania and Spain) and two accession countries (North Macedonia and Serbia). In parallel, FRA supported national data collection on Roma in Bulgaria¹² and Slovakia,¹³ providing data for these countries that are comparable to FRA's data. In this report, these collections are referred to as EU-SILC MRK 2020 (EU Survey on Income and Living Conditions in Marginalised Roma Communities) and BNSI/FRA 2020 (National Statistical Institute of the Republic of Bulgaria and FRA 2020).

All the countries were included in previous FRA Roma surveys (Roma Survey 2011 or the Second EU Minorities and Discrimination Survey (EU-MIDIS II) 2016), with the exceptions of North Macedonia and Serbia, and all host sufficiently large Roma populations. North Macedonia and Serbia were added to the survey as non-EU countries, reflecting their membership as observers on FRA's Management Board and given that they have sizeable Roma populations. Other countries with Roma populations (Belgium, France, Ireland, the Netherlands and Sweden) were covered in the Roma and Travellers Survey in 2019. The countries covered in the Roma Survey 2021, together with Bulgaria and Slovakia, cover 87 % of the estimated Roma population in the EU or 53 % of the estimated Roma population in Europe.¹⁴

The survey aimed to provide data that can serve as a baseline for the EU Roma framework's headline and secondary indicators included in the portfolio of indicators. The survey aligns with previous surveys (EU-MIDIS II and the Roma and Travellers Survey), which allows for analysing trends in key indicators.

⁸ European Union (2012), **Consolidated version of the Treaty on European Union**, OJ 2012 C 326, Articles 2 and 6; European Union (2012), **Consolidated version of the Treaty on the Functioning of the European Union**, OJ 2012 C 326, Articles 8, 9, 10 and 19; European Parliament, Council and Commission (2012), **Charter of Fundamental Rights of the European Union**, OJ 2012 C 326.

⁹ Council of the European Union (2000), **Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin**, OJ 2000 L 180.

¹⁰ UN, General Assembly (2015), **Resolution adopted by the General Assembly on 25 September 2015: Transforming our world: The 2030 Agenda for Sustainable Development**, 25 September 2015, p. 3.

¹¹ European Parliament, the Council and the Commission (2017), **Interinstitutional Proclamation on the European Pillar of Social Rights**, OJ 2017 C 428.

¹² National Statistical Institute of the Republic of Bulgaria (*Национален статистически институт*) and FRA (2021), **Project: Novel approaches to generating data on hard-to-reach populations at risk of violation of their rights**.

¹³ Slovakia, Office of the Slovak Government Plenipotentiary for Romani Communities (*Úrad splnomocnenca vlády SR pre rómske komunity*) (2021), **EU-SILC MRK 2020**, Bratislava, December 2021.

¹⁴ See Council of Europe, Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues (2012), **Estimates and official numbers of Roma in Europe**.

This should help Member States to develop more targeted measures in their national Roma frameworks and to assess the achievement of their objectives.

The survey further refines research methodologies for sampling and surveying hard-to-reach or elusive populations. These methodologies are shared with the Member States. The 2021 Council recommendation on Roma equality, inclusion and participation envisages FRA or individual Member States repeating the Roma Survey in 2024 and 2028 to provide the data necessary for mid- and end-term results assessment.

THE REPORT

The report delivers **baseline data for the EU Roma framework**.¹⁵ It is structured based on its seven objectives:

- fight and prevent antigypsyism and discrimination;
- reduce poverty and social exclusion to close the socioeconomic gap between Roma and the general population;
- promote participation through empowerment, cooperation and trust;
- increase effective equal access to quality and inclusive mainstream education;
- increase effective equal access to quality and sustainable employment;
- improve Roma health and increase effective equal access to quality healthcare and social services;
- increase effective equal access to adequate desegregated housing and essential services.

For each dimension, the report covers the headline indicators, supported by selected secondary indicators. In addition to presenting the data for 2021, it compares 2021 and 2016 to analyse trends and measure progress against benchmark indicators. The full dataset includes the indicators covered in this report and the remaining Roma Survey 2021 data. It will be publicly available in 2023.

Alongside the results for the 10 countries in which FRA collected data, the report provides data for Bulgaria and Slovakia (marked with * in the figures and tables). Data for these two countries are used only in the EU- and country-level analyses. As further breakdowns are not available for these countries, the analysis by sex, age and disability considers only the Roma Survey 2021 countries.

Values for these two countries are calculated to be as comparable as possible with the values for countries the Roma Survey 2021 covers. In Slovakia, the EU-SILC MRK 2020 was the second round of an existing survey and the country had already predefined the calculations for a number of indicators. Therefore, some indicator values presented for Slovakia in this report may differ from values presented in its national report (see the notes under the relevant figures).

¹⁵ European Commission (2020), *A Union of equality: EU Roma strategic framework for equality, inclusion and participation*, COM(2020) 620 final, Brussels, 7 October 2020.

The report also refers to the average value for the EU (EU total). The EU total includes the weighted average of all EU countries covered in the relevant surveys (marked with * in the figures and tables). For each survey, the EU total refers to the following countries.

- EU total for Roma 2021 covers 10 EU countries: Bulgaria, Croatia, Czechia, Greece, Hungary, Italy, Portugal, Romania, Slovakia and Spain. Weights are based on the size of the Roma population covered in the Roma Survey 2021 and the national Roma surveys in Bulgaria and Slovakia.
- EU total for Roma 2016 covers nine EU countries: Bulgaria, Croatia, Czechia, Greece, Hungary, Portugal, Romania, Slovakia and Spain. Weights are based on the size of the Roma population covered in EU-MIDIS II 2016;
- EU total for the general population covers the EU-27. Weights are based on the size of the general population.

The survey in a nutshell

The survey collected information from 8,461 respondents living in private households who self-identify as Roma,¹⁶ are 16 or older and have lived in the survey countries for at least the 12 months before the survey. In addition, information was collected on 20,212 people living in the survey respondents' households and on the infrastructure of their neighbourhoods, settlements or camps. The fieldwork took place from February until August 2021 through face-to-face interviews. Fieldwork in Bulgaria and Slovakia took place in the second half of 2020.

Coverage

The survey was conducted in Croatia, Czechia, Greece, Hungary, Italy, North Macedonia, Portugal, Romania, Serbia and Spain. The interviews were in the official language of the country; in North Macedonia, the questionnaire was available in Macedonian and Albanian. Experience from previous surveys suggested that a questionnaire in Romani was not necessary. This was replaced with support in translating key terms. A glossary of key terms in Romani was available in all countries.

TABLE 1: ROMA SURVEY 2021, NUMBER OF INTERVIEWS AND HOUSEHOLD MEMBERS PER COUNTRY

| Country | Interviews | Household members |
|-----------------|------------|-------------------|
| Czechia | 769 | 1,077 |
| Greece | 649 | 2,063 |
| Spain | 1,132 | 2,559 |
| Croatia | 519 | 1,835 |
| Hungary | 1,409 | 3,412 |
| Italy | 541 | 1,045 |
| Portugal | 568 | 1,439 |
| Romania | 1,695 | 3,799 |
| North Macedonia | 519 | 1,439 |
| Serbia | 660 | 1,544 |
| Total | 8,461 | 20,212 |

Source: FRA, Roma Survey 2021

Questionnaire

The survey included questions on experiences of discrimination in different areas of life; on experiences of police stops and criminal victimisation, including hate crime; on awareness of rights and redress mechanisms; and on participation and integration in society. Respondents provided information about basic sociodemographic characteristics for all household members, including themselves. They were encouraged to add personal comments or experiences at the end of the interview.

¹⁶ See On terminology box, p. 7.

Representativeness

The sampling approach aimed for representativeness based on experience gained in EU-MIDIS II and the Roma and Travellers Survey. The present survey was set up to be representative of the Roma population in each country. The selection of the survey sample used available but often limited information on Roma available in the countries covered.

This means the representativeness of the survey is limited to the population covered in the sources of information available. For example, in Spain, the *Study-map on housing and the Roma population*¹⁷ was used, hence the results are representative of the Roma this mapping covers. For further details, see the technical report.¹⁸ FRA surveys apply the principle of self-identification when sampling people with minority ethnic origins.

Participation

The preparation of the survey considered the particularities of the target population, and respected related ethical and cultural aspects. The survey paid particular attention to the principle of participation, one of the EU's 10 common basic principles on Roma inclusion,¹⁹ by including communities in the questionnaire's design, in the survey's preparation and implementation, and during definition of the indicators for the monitoring framework. Moreover, the survey recruited and trained interviewers with a Roma background, or worked with mediators with a Roma background or strong links to the communities involved.

Weighting

The survey results presented in this report are based on weighted data to reflect the selection probabilities of each household and individual based on the complex sampling design. The weights take account of differences in the estimated size of the Roma population covered in each country. The contracted fieldwork agency, Kantar Public, developed the weights in consultation with sampling and weighting experts from the University of Siena.

Sampling error

Sampling error affects all sample surveys, as surveys interview only a fraction of the total population. Therefore, all results presented are point estimates underlying statistical variation. Small differences of a few percentage points between groups must be interpreted within the range of this statistical variation. Only more substantial differences between groups should be considered actual differences in the total population (indicative ± 5 percentage points).

Results based on small sample sizes are statistically less reliable and are not interpreted substantially. Figures and tables flag these results using brackets. These include statistics that are based on samples of between 20 and 49 respondents. Results based on fewer than 20 respondents are not shown.

Comparability

The questions asked in the Roma Survey 2021 are comparable to those in EU-MIDIS II (2016) and the Roma and Travellers Survey (2019). The sampling methodology follows the same principles as those in EU-MIDIS II, with

¹⁷ *Fundación Secretariado Gitano* and Daleph (2016), *Study-map on housing and the Roma population, 2015: Executive summary*, Madrid, Spanish Ministry of Health, Consumer Affairs and Social Welfare.

¹⁸ FRA (2022), *Technical report: Roma Survey 2021*, Luxembourg, Publications Office (forthcoming).

¹⁹ European Commission, Directorate-General for Employment, Social Affairs and Inclusion (2010), *Vademecum: The 10 common basic principles on Roma inclusion*, Luxembourg, Publications Office.

improvements to reach a broader Roma population. The survey uses the most recent statistical information available on the Roma population in the countries covered, which may differ in some cases from the information available in 2016 .

As a result, the sample for the Roma Survey 2021 covers a broader Roma population in most of the countries, encompassing Roma who live more dispersed among the general population than those covered in 2016. This improved sampling approach could, at the same time, have an impact on the outcomes of some of the indicators this report covers, and needs to be considered in the trend analysis.

This report includes comparable data on Roma in Bulgaria, collected by the National Statistical Institute of the Republic of Bulgaria,²⁰ and Slovakia, collected by the Slovak Statistical Office.²¹ The indicators this report covers are comparable to the ones provided for the general population, where relevant data are available (see the notes under the figures/tables).

Impact of COVID-19 measures on the survey

The fieldwork for the Roma Survey 2021 took place while measures to restrict the spread of the coronavirus disease 2019 (COVID-19) were in place, which required data collection to stop and restart in a number of countries. These measures may have influenced responses, particularly those regarding education – as some countries introduced distance learning – and employment. The considerable impact of COVID-19 measures must be considered when looking at trends in the results, as many people experienced difficulties engaging in certain everyday activities. This can affect income-generating activities and exposure to experiences of discrimination or harassment.

More details on the impact of COVID-19-related measures can be found in the Roma Survey 2021 technical report.

Consultations with stakeholders

In March 2022, FRA discussed the preliminary survey findings with Roma civil society organisations and other stakeholders in the countries surveyed, such as national Roma contact points, equality bodies and other public institutions. The aim was to contextualise the results, improve the national impact and empower the communities to use the data and results in their advocacy.

²⁰ More information can be found in Centre for the Study of Democracy (2021), *Key social inclusion and fundamental rights indicators in Bulgaria*, Sofia, National Statistical Institute of the Republic of Bulgaria, and Vienna, FRA.

²¹ More information can be found on the Office of the Slovak Government Plenipotentiary for Romani Communities (*Úrad splnomocnenca vlády SR pre rómske komunity*) web page on the survey (*Špecializované zisťovanie EU-SILC MRK*).

Key findings

Progress on Roma inclusion and respect for their fundamental rights is too little and too slow, as this report illustrates. The key findings from the Roma Survey 2021 provide a snapshot of the persisting impact of antigypsyism and the problems many Roma and Travellers face in enjoying their fundamental rights regarding employment, education, healthcare and housing.

Since the first Roma survey in 2011, FRA has issued a wide range of opinions recommending actions to EU institutions and Member States in order to make progress on Roma inclusion in the full respect of fundamental rights. These 148 FRA opinions remain valid.

See the following FRA publications on Roma, including FRA opinions:

- ★ *Poverty and employment: The situation of Roma in 11 EU Member States: Roma survey – Data in focus*, 2014
- ★ *Roma survey – Data in focus: Education: The situation of Roma in 11 EU Member States*, 2014
- ★ *EU-MIDIS II: Second European Union Minorities and Discrimination Survey: Roma – Selected findings*, 2016
- ★ *Fundamental rights report 2016*, 2016
- ★ *Fundamental rights report 2017*, 2017
- ★ *Second European Union Minorities and Discrimination Survey – Main results*, 2017
- ★ *Fundamental rights report 2018*, 2018
- ★ *A persisting concern: Anti-Gypsyism as a barrier to Roma inclusion*, 2018
- ★ *Working with Roma: Participation and empowerment of local communities*, 2018
- ★ *Combating child poverty: An issue of fundamental rights*, 2018
- ★ *Fundamental rights report 2019*, 2019
- ★ *Roma and Travellers in six countries*, 2020
- ★ *Fundamental rights report 2020*, 2020
- ★ *Fundamental rights report 2021*, 2021

The percentages reported here are an average for the 10 EU Member States in this report.

There are positive developments in tackling hate-motivated harassment and violence, but no real improvements when it comes to tackling discrimination.

Manifestations of antigypsyism: discrimination, harassment and violence

The survey findings indicate a positive development in tackling hate-motivated harassment and violence, but no real improvements when it comes to tackling discrimination. EU Member States should continue their efforts to fight antigypsyism and discrimination against Roma to achieve the EU framework target by 2030.

- ★ Every fourth Roma respondent (25 %) felt discriminated against based on their ethnic background in the 12 months preceding the survey in at least one of the following areas of life: when looking for work or at work; in education (themselves or as parents/guardians); in health; in housing; in administrative offices or public services; or when in/using other public or private services such as a restaurant, bar, night club, hotel, shop or public transport. The discrimination rate was 26 % in 2016. No country surveyed in 2021 has achieved the headline target, as findings in this report show.
- ★ Some 17 % of Roma surveyed experienced at least one form of hate-motivated harassment in the 12 months preceding the survey, significantly less than the percentage in 2016 (30 %) in almost all countries surveyed in both years.



EU ROMA FRAMEWORK

The EU Roma framework calls on EU Member States to at least halve the proportion of Roma experiencing discrimination – that is, to ensure that fewer than 13 % of Roma experience discrimination by 2030.



- ★ The 12-month prevalence of hate-motivated physical violence against Roma has, on average, decreased since 2016 (1 % versus 4 %). However, in Italy, the prevalence of hate-motivated violence against Roma is worryingly high at 10 %. Italy was not surveyed in 2016.

Fewer Roma now live in households experiencing severe material deprivation, but 80 % are still at risk of poverty.

EU ROMA FRAMEWORK

The EU Roma framework calls on the Member States to at least halve the poverty gap between Roma and the general population and to ensure that the majority of Roma escape poverty by 2030. It calls for Member States to reduce the poverty gap between Roma children and other children by at least half and to ensure that the majority of Roma children escape poverty by 2030.

Poverty and social exclusion

Fewer Roma live in households experiencing severe material deprivation than in 2016. However, the situation has not changed regarding poverty, and Member States are far from reaching the targets set for the proportion of those at risk of poverty by 2030.

- ★ Monetary poverty of Roma has not changed in 2021 compared with 2016. Four out of five Roma (80 %) live at risk of poverty. They live in households with an equivalised income after social transfers that is less than 60 % of the median income in their country.
- ★ Some 83 % of Roma children below the age of 18 are at risk of poverty.
- ★ A smaller proportion of Roma live in severe material deprivation in 2021 (48 %) than in 2016 (62 %). Every second Roma lives in a household that could not afford to pay for at least four out of the following nine items: unexpected expenses; a one-week annual holiday away from home; a meal involving meat, chicken or fish every second day; the adequate heating of a dwelling; so-called durable goods, notably a washing machine; a colour television; a telephone; a car; and being confronted with payment arrears (mortgage or rent, utility bills, hire purchase instalments or other loan payments).



- ★ Roma children (0–17) face a similar situation regarding severe material deprivation. Every second Roma child (54 %) lives in a household in severe material deprivation (66 % in 2016).

Roma are more aware of the existence of human rights institutions. But very few Roma victims report discrimination, making the 2030 target difficult to achieve.

Reporting of discrimination, awareness of rights and trust in public institutions

Awareness of the existence of human rights institutions has improved among Roma. However, the proportion of Roma victims reporting discrimination did not increase. This makes the 2030 EU Roma framework target difficult to achieve.

- ★ As in 2016, the incidents of discrimination, hate-motivated harassment and violence that Roma experience in the EU remain largely invisible to institutions that have a legal obligation to assist victims, including equality bodies and law enforcement authorities. Only 5 % of all Roma victims of discrimination reported or made a complaint about the last incident of discrimination. This indicates a large reduction in complaint rates, as it was 16 % in 2016.
- ★ Every second Roma interviewed (50 %) has heard of at least one equality body or national human rights institution, or the office of the ombudsperson in their country. This is a positive trend compared with 2016 (29 %), observed in all countries.
- ★ Two out of five Roma (39 %) tend to trust the police in their country, whereas slightly fewer Roma – one out of three (31 %) – tend to trust the legal system in their country. Roma’s levels of trust in these institutions have not changed since 2016, and are much lower than those of the general population (71 % and 54 % respectively).



EU ROMA FRAMEWORK

The EU Roma framework calls on Member States to double the proportion of Roma who file a report when they experience discrimination – that is, to ensure that by 2030 at least 30 % of Roma victims report the discrimination.



Substantial efforts need to be made to achieve the EU Roma framework education objectives and targets by 2030.

EU ROMA FRAMEWORK

The EU Roma framework calls on Member States to cut the gap by at least half between Roma and the general population regarding participation in early childhood education and care. That means ensuring that at least 70 % of Roma children participate in preschool by 2030. Member States should reduce the gap in upper secondary completion by at least one third and ensure that, by 2030, the majority of Roma youth complete at least upper secondary education. Member States should strengthen efforts to eliminate educational segregation and to ensure that by 2030 fewer than one in five Roma children attend schools where most or all children are Roma.

Education

There is almost no progress in education, with over 70 % of young Roma still leaving school early. Therefore, substantial efforts need to be made to achieve the EU Roma framework objectives and targets by 2030.

- ★ Only two out of five Roma children (44 %) attend early childhood education and care, with almost no change between 2016 (42 %) and 2021.
- ★ Only every fourth Roma aged 20–24 (27 %) has completed upper secondary education. Three out of four young Roma aged 18–24 (71 %) leave the educational system early. There has been no progress since 2016.
- ★ In compulsory school, more than half of Roma children aged 6–15 (52 %) are in segregated schools where all or most schoolmates are Roma (44 % in 2016). The segregation occurs most in Slovakia (65 %) and Bulgaria (64 %). Discrimination rates when in contact with school authorities increased between 2016 and 2021, from 7 % to 11 %, across the surveyed EU countries. One in five Roma children experienced hate-motivated bullying/harassment while in school (27 % in 2016).



Some countries could achieve the EU targets for employment by 2030. More efforts are needed to tackle youth employment.

Employment

In some countries, employment prospects have improved and over 60% of Roma are now in paid work. In others, employment rates remain low, especially for young people and women. So, some countries could achieve the EU targets for employment by 2030. But more efforts are needed to tackle youth and Roma women's employment.

- ★ Only two out of five Roma aged 20–64 (43 %) are in paid work – that is, in full-time work, in part-time work, doing ad hoc jobs, in self-employment or occasional work – or have worked in the past four weeks. These are the same findings as in 2016. Hungary and Italy have reached the EU target of at least 60 % of Roma in paid work, the Roma Survey 2021 results indicate.
- ★ Employment is much rarer for Roma women than men. In 2021, only 28 % of Roma women aged 20–64 were in employment, in comparison with 58 % of Roma men in the same age category. The gender employment gap was no smaller than in 2016 (27 points in 2016).
- ★ Every second Roma aged 16–24 (56 %) is NEET. The percentage is even higher in some countries. Overall, it has not reduced compared with 2016 (53 % in 2016). Hungary is close to reaching the EU target, as 36 % of its young Roma are NEET.
- ★ Every third Roma older than 16 (33 %) felt discriminated against because of being Roma when looking for a job in the last 12 months before the survey. On average, the number of Roma experiencing discrimination when looking for work doubled in comparison to 2016 (from 16 %).



EU ROMA FRAMEWORK

The EU Roma framework calls on Member States to cut the employment gap by at least half and to ensure that at least 60 % of Roma are in paid work by 2030. Member States should cut the gender employment gap for Roma by at least half to ensure that at least 45 % of Roma women are in paid work by 2030. Member States are asked to cut the gap in the rate of Roma not in education, employment or training (NEET) by at least half and to ensure that fewer than one in three Roma youth are NEET by 2030.



Roma continue to have a much lower life expectancy than the general population.

EU ROMA FRAMEWORK

The EU Roma framework calls for cutting the life expectancy gap by at least half and ensuring that Roma women and men live five years longer by 2030.

Health

The estimated life expectancy for Roma indicates a large gap between Roma and the general population in this key health indicator.

- ★ In 2021, for the first time, questions that allow for an indirect estimation of life expectancy at birth were included in surveys covering countries with sizeable Roma populations. The estimates based on data collected in 2021 suggest that Roma women live on average 11.0 years less than women in the general population, and Roma men 9.1 years less than men in the general population. On average, Roma women live for 71.3 years whereas Roma men live for only 67.2 years. The average is 82.2 years for women and 76.3 years for men in the general population in the countries the survey covers.
- ★ Three out of four Roma interviewed in 2021 (72 %) report having medical insurance, which is similar to 2016 (73 %).
- ★ In 2021, more Roma felt discriminated against for being Roma when accessing health services in the past 12 months (14 %) than in 2016 (8 %), with a peak in Portugal (32 %).

Some improvements in Roma housing conditions indicate that the EU targets could be reached by 2030. But too many Roma still live in overcrowded conditions.

EU ROMA FRAMEWORK

The EU Roma framework calls on Member States to reduce the gap in housing deprivation by at least one third and to ensure that the majority of Roma do not face housing deprivation by 2030. Member States should reduce the gap between Roma and the general population by at least half, so that the majority of Roma no longer live in overcrowded households by 2030. They should ensure that at least 95 % of Roma have access to tap water.

Housing

There are improvements in Roma housing conditions. But the majority of Roma still live in overcrowded households, with one in five not having access to tap water inside their house. This target will be more difficult to achieve by 2030.

- ★ Every second Roma (52 %) lives in a state of housing deprivation, living in damp, dark dwellings or housing without proper sanitation facilities. However, this figure is lower than in 2016, when the rate was 61 %.
- ★ Four out of five Roma (82 %) live in a household that does not have enough rooms and is overcrowded, similar to the situation in 2016 (78 %).
- ★ One out of five Roma households (22 %) do not have access to tap water inside their dwelling, which is particularly concerning during a pandemic. Nevertheless, this shows an improvement since 2016 (30 %).
- ★ Every fourth Roma (24 %) still faced discrimination when looking for housing in the five years prior to the survey, although this share has decreased since 2016 (41 %).



- ★ In general, Roma children up to 15 face higher rates of housing deprivation (55 %). They are more likely to live in overcrowded households (94 %) and households without access to tap water (24 %).

**This is an excerpt. For the full article, follow
the link:**

https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results2_en.pdf



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The Economic Situation **according to the OECD***

Source: <https://www.oecd.org/en/about/news/press-releases/2024/03/boosting-competition-strengthening-public-finances-and-reforms-to-education-will-help-to-put-hungary-on-a-stronger-growth-path.html>



BOOSTING COMPETITION, STRENGTHENING PUBLIC FINANCES AND REFORMS TO EDUCATION WILL HELP TO PUT HUNGARY ON A STRONGER GROWTH PATH

Press release
06/03/2024

Hungary's economy recovered strongly from the COVID-19 pandemic before dipping into a mild recession as high inflation eroded households' purchasing power and high interest rates and low confidence dampened investment, according to the latest [OECD Economic Survey of Hungary](#) released today.

Growth has now restarted and is expected to rebound from -0.9% last year to 2.4% in 2024 and 2.8% in 2025. Inflation will continue to decline substantially from 17.1% in 2023 to 3.9% this year and further to 3.4% in 2025. The pace of disinflation, future energy prices, and the delivery of EU funds dependent on rule-of-law reforms, pose risks to the outlook.

Greater competition, especially in the retail, energy, transport and telecommunication sectors and in professional services, and further reforms to the insolvency framework to facilitate the exit of unviable firms can bolster Hungary's business dynamism. Recent significant anti-corruption and public integrity reforms should be fully implemented to bring Hungary closer to OECD standards, strengthen the rule of law and boost investor confidence.

Poverty in Hungary, at 12%, is low compared with other OECD countries thanks to social transfers, but these should become better targeted towards the lowest-income groups to become more cost-effective. At the same time, Hungarians face difficulties in moving up the income ladder from one generation to the next. Reforms to ensure equality of opportunity in education by shifting more public spending to schools where students have a more disadvantaged socio-economic background could improve income mobility. Improving access to quality childcare such as for childcare facilities

for children under the age of three, as well as more flexible working arrangements, would help women to bridge existing wage and employment gaps.

“Hungary was hard-hit by surging prices, but decisive action by the central bank has helped to bring down inflation and stabilise the exchange rate. It is appropriate to continue the gradual and moderate pace of monetary easing initiated last year, while remaining vigilant to renewed price pressures,” **OECD Secretary-General Mathias Cormann** said, presenting the Survey alongside **Hungary’s Minister of Finance Mihály Varga**. “Reducing the fiscal deficit and public debt, boosting productivity and business sector activity through smarter regulations and more competition, and better targeting support towards vulnerable families are necessary steps to durably reinvigorate growth and prepare for future challenges around population ageing and climate change.”

An accelerated roll-out of renewable energy production would reduce emissions and support energy security. Beyond existing regulations and standards aimed at advancing the green transition, carbon pricing should also be progressively expanded beyond the sectors covered by the EU Emissions Trading Scheme that only include 32% of emissions. A comprehensive climate strategy to reduce emissions should include restructuring energy support, moving from price caps to targeted cash transfers to support vulnerable households. While protecting the most vulnerable, this would increase incentives for energy savings and improvements in the energy efficiency of dwellings and reduce the exposure of public finances to fluctuations in global energy prices.

While current plans to develop low-carbon energy focus on expanding nuclear and solar there is also scope for unlocking the potential of geothermal and wind energy, including by removing restrictive rules on windmill installation. As Hungary currently imports around 60% of its energy needs, an accelerated development of renewables is needed to improve energy security, but this will require massive investments in the electricity grid, both from public and private sources.

For more information, journalists should contact [Carol Guthrie](#) in the OECD Media Office (tel. + 33 1 45 24 97 00).

Note to editors:

The Paris-based OECD is an international organisation that promotes policies to improve the economic and social well-being of people worldwide. Working with member and partner countries, it

provides a forum where governments can work together to share experiences and seek solutions to economic, social and governance challenges.

The OECD's 38 member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States.

Working with over 100 countries, the OECD is a global policy forum that promotes policies to preserve individual liberty and improve the economic and social well-being of people around the world.

Hotel and transport

Hotel



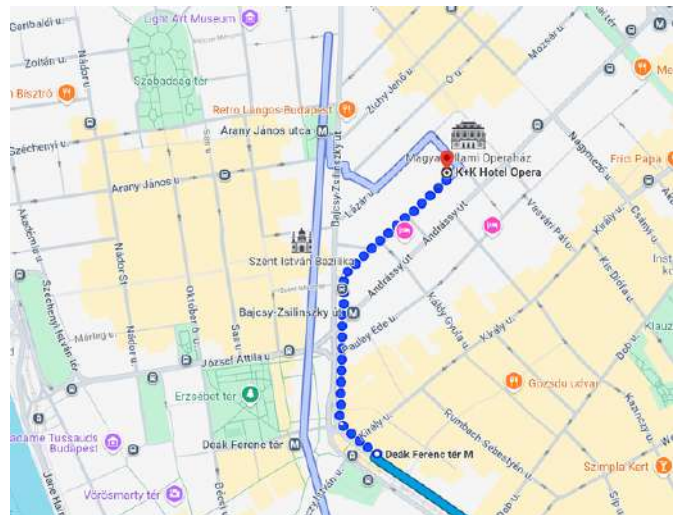
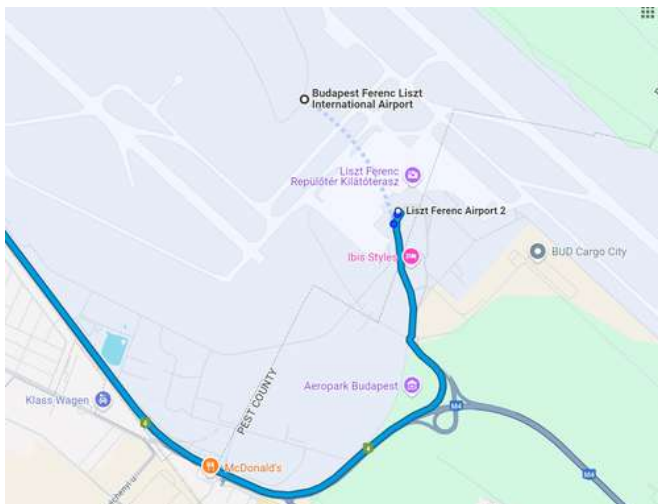
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- Check-out until 11:00 AM
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From Airport to Hotel

duration: 45 min (to go from the Hotel to Airport, use the same trajectory in the opposite direction)

Budapest Ferenc Liszt
International Airport
Budapest, 1185 Hungary

Liszt Ferenc Airport 2

Deák Ferenc tér M

K+K Hotel Opera
Budapest, Révay u. 24,



walk 2 min
80 m



100E Deák Ferenc tér M (City
centre)

✓ 34 min (3 stops) · Stop ID: 089411 · ♿



walk 9 min
700m

Restaurants

Restaurant Wednesday 23 October 2024



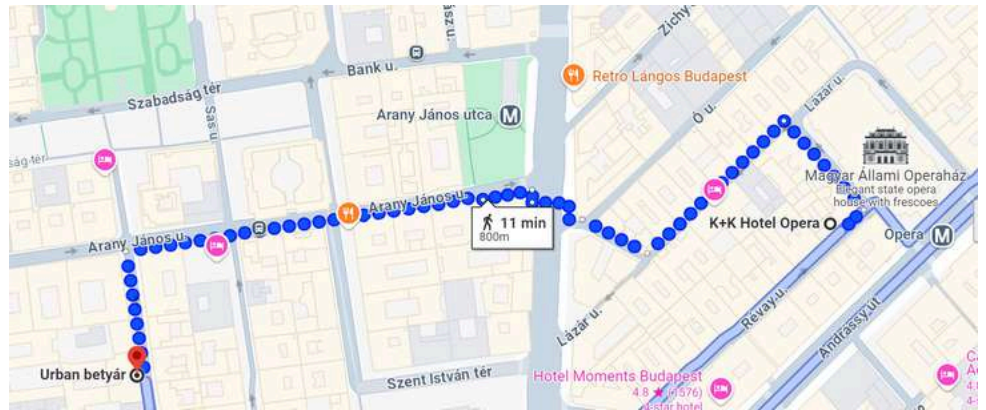
URBAN BETYÁR

1051, BUDAPEST,
OKTÓBER 6. UTCA 16-18.

This restaurant is optional (only if members already arrived to Budapest and wish to participate)

Dinner at 19h30

11 minutes
walk from
Hotel to
restaurant



Restaurant Thursday 24 October 2024



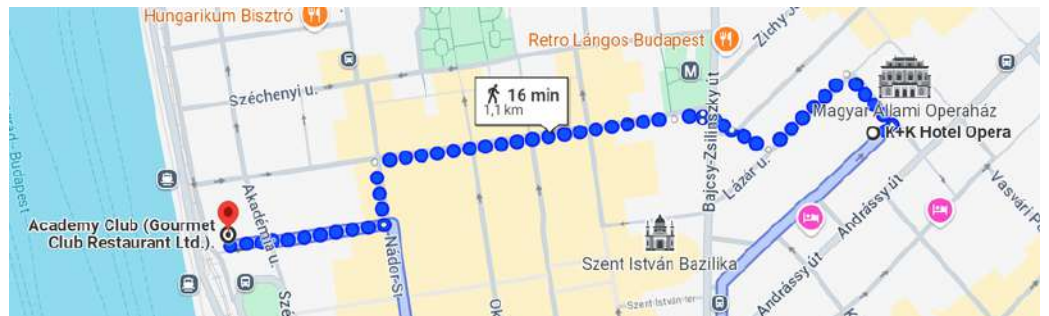
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9, 1051

FMA Dinner Debate with invited guest
speakers

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walk from
Hotel to
restaurant



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FMA VISIT TO HUNGARY



HU24EU