ASSESSMENT REGARDING THE TOPICS UNDER THE ARTICLE 7 PROCEDURE: STEPS TAKEN AND ISSUES TO BE RESOLVED

5 October 2026

This autumn, the procedure under Article 7 of the Treaty on European Union concerning Hungary, which has been ongoing since 2018, will be on the agenda of the General Affairs Council once again. At the heart of the procedure lies the risk of a serious breach of the EU's fundamental values – these include respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights. This procedure covers a number of issues related to the rule of law and human rights that are not addressed by other EU procedures.

As Hungarian civil society organisations, we have been monitoring the progress of the procedure from the outset and have, on several occasions, produced analyses highlighting shortcomings in specific areas, as well as governmental steps that repeatedly violated and threatened the rule of law and human rights. On several occasions, we formulated detailed recommendations to improve the situation.

Since the new government took office, positive developments and important legislative and other steps have taken place in many areas covered by the Article 7 procedure. However, these remain far from comprehensive, and in some areas the promised changes have yet to materialise. As we noted in our flash report of June 2026 on the Article 7 procedure, it is clear that the elimination of legislative provisions and practices that violate human rights and have undermined the rule of law and democracy is a time-consuming process, and must go hand in hand with establishing the organisational and personal guarantees of institutional independence, which is essential for the stability of a democratic state governed by the rule of law. Furthermore, the issues covered are complex, and in many areas, comprehensive measures are required to eliminate the risk of breaching the EU's fundamental values. As civil society organisations, we wish to support these changes moving forward.

Below, we therefore take stock of the issues covered by the Article 7 procedure, summarising the forward-looking steps taken and the problems still awaiting resolution. Given that the issue of corruption is also covered by other EU procedures, we do not address this topic in our assessment. The detailed analysis of the topics is preceded by a summary table in which we have assessed the individual areas according to the following criteria:

- a green background would indicate that the problem has been resolved at the institutional, legislative and practical levels – however, we were ultimately unable to identify any such areas amongst the topics examined;

- an orange background was used where institutional, legislative or practical steps had been taken to resolve the problems, but (a) institutional, legislative or practical problems persist, and/or (b) new problems have arisen – in these cases, we formulated questions that could be posed to the government;
- we have highlighted with red background those areas where problems have not yet been resolved at any level, or where new problems have arisen – in these cases, we formulated recommendations for the government.

Through our questions and recommendations, we aim to contribute to the common goal of ensuring that the reforms that have started lead to lasting institutional, legislative and practical changes and safeguards that ensure compliance with the EU's fundamental values.

Summary table

1. The system of checks and balances and the independence of institutions of human rights protection	What steps does the government plan to take to restore the independence of human rights protection institutions – in particular the Constitutional Court and the Ombudsperson system – and to improve their effectiveness and accessibility?
2. The functioning of the electoral system	The government should initiate, in a timely manner and allowing sufficient time for preparation, a reform of the electoral system and electoral procedures through a transparent, open, inclusive and democratic legislative process, taking into account the recommendations of the Venice Commission and the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), as well as relevant previous judgments of the European courts.
3. The independence of the judiciary and the rights of judges	What legislative amendments are being planned with regard to strengthening the independence of the courts, improving the efficiency of their operations, and addressing the remuneration of judges and judicial staff, with particular reference to the legislative proposals put forward by the National Judicial Council?
4. Law-making	What further steps does the government plan to take to establish the legal and institutional conditions for a transparent, open, inclusive and democratic law-making process and to ensure its implementation in practice? When does the government plan to establish the rules that will define the framework for drafting the new constitution?
5. Privacy and data protection; freedom of information	The judgments of the European Court of Human Rights (ECtHR) in the *Szabó and Vissy* and *Hüttl v. Hungary* cases should be executed. The use of facial recognition in petty offence cases should be prohibited and the transparency of the operation of the system should be ensured. The rules restricting access to information should be reviewed, including by implementing Decision 7/2020. (V. 13.) of the Constitutional Court.

6. Media freedom	How does the current governing party intend to ensure that delegates from the former governing parties are also given seats in the Media Council? When will a comprehensive reform of media regulation take place?
7. Freedom of association and the situation of civil society organisations	What is the government's timetable for drawing up the new civil society strategy and reforming the funding system for the civil society sector, and how does it plan to involve civil society organisations in this process? Does the government plan to address the issues relating to the registration and administration of civil society organisations, as highlighted in the European Commission's 2026 Rule of Law Report, and if so, when?
8. Women's rights	When does the governing majority plan to ratify the Istanbul Convention? What specific measures does the government plan to take to ensure widespread and safe access to abortion? What is the government's timetable for transposing the EU Pay Transparency Directive, and what specific measures does it intend to take to ensure that women are not disadvantaged in the labour market?
9. The rights of LGBTQI people	When and what further steps does the government plan to take to repeal laws restricting the rights of LGBTQI people, including the discriminatory provisions of the Fundamental Law?
10. The rights of persons belonging to the Roma minority	The government should initiate the prompt repeal of the second sentence of Article XXVII (1) of the Fundamental Law as well as the repeal of the Act on the Protection of Local Identity by the Parliament. The government should initiate the repeal of "lex Gyöngyöspata" by the Parliament as soon as possible.
11. The rights of migrants, asylum seekers, and refugees	The government should comply with the relevant judgments of the Court of Justice of the European Union (CJEU): it should end mass pushbacks and the embassy procedure and immediately ensure effective access to the asylum procedure in the territory of Hungary and at its borders.
12. Economic and social rights	The government should take steps to establish a comprehensive reform guaranteeing the right to strike for public service employees. The amounts of the "social reference base", used to calculate social benefits and fee and cost reductions, and of the family allowance should be set in an Act of Parliament, and both should be indexed to inflation. Article XXII (3) of the Fundamental Law, which criminalises homelessness, should be repealed.

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1. The system of checks and balances and independence of human rights protection institutions

The previous governing majority systematically dismantled the system of checks and balances, weakened constitutional institutions and undermined their independence, for example by appointing and electing leaders loyal to the ruling party. In doing so, they deprived these institutions of their ability to act as effective checks on the executive branch. This also significantly weakened the system for the protection of fundamental rights. The current ruling party's programme placed great emphasis on rebuilding this system. In this context, the Prime Minister announced plans to remove a number of public office holders following the elections, and concrete legislative steps followed.

The 17th Amendment to the Fundamental Law terminated the mandate of President of the Republic Tamás Sulyok, which was challenged unsuccessfully before the Constitutional Court (CC). The amendment was criticised for example because the government failed to attach an adequate justification, setting out the reasons for the removal and why it had chosen that particular path to do so, while others argued that the right to a fair trial would have been ensured if an impeachment proceedings been initiated against the former President of the Republic.

Legislative measures taken to strengthen the CC include, for example, the removal of the restriction whereby the CC could carry out the constitutional review of laws concerning public finances only within a very narrow scope; that the CC President will once again be elected by the CC justices themselves, rather than by the Parliament; and the reinstatement of the rule that only those who have completed the required 20 years of professional experience in a role requiring a law degree may serve as CC justices. The 17th Amendment to the Fundamental Law also reintroduced the rule that the term of office of CC justices expires upon reaching the age of 70 – as a result of this and another amendment, by 1 September 2026 the mandates of five justices ended before their term of office expired. However, the rules on the election of CC justices were not amended; consequently, the new justices elected since then have been appointed solely by a two-thirds majority in Parliament, just as their predecessors, in a process that does not involve any actors outside the governing party. The independence of the body is thus, for the time being, not guaranteed in the long term. Nor have any steps been taken to improve the accessibility and effectiveness of the CC.

No steps have been taken to ensure the independence and effectiveness of the Ombudsperson system. For the most part, the problems that led to the Commissioner for Fundamental Rights being downgraded as a national human rights institution remain, including the method of selecting the Ombudsperson. On a positive note, civil society organisations could ask questions during the hearings of candidates for the posts of Chair and Deputy Chair of the newly established National Office for Asset Recovery and Protection.

In sum, whilst the restoration of the system of checks and balances has begun, the solutions chosen for the removal of certain public office holders have raised concerns in some cases. Furthermore, measures to ensure the long-term independence and effectiveness of human rights protection institutions have so far either not been implemented at all or have been implemented only partially.

Question:

- What steps does the government plan to take to restore the independence of human rights protection institutions – in particular the Constitutional Court and the Ombudsperson system – and to improve their effectiveness and accessibility?

2. The functioning of the electoral system

The continuous amendment of electoral laws without public consultation and for partisan interests was a recurring trend under previous governments. In addition to the electoral legal framework, the broader systemic environment also became distorted: the conditions for equal political competition were undermined by numerous other factors, which conferred unjustifiable advantages on the former governing parties. These included the use of state resources (financial resources, databases) for party-political campaigning, the use of state institutions (including public service media) to benefit the governing parties, and, more generally, the blurring of the boundaries between the state, the government, and the governing parties. The latter was facilitated by specific statutory provisions as well as judicial practice. The electoral system also has certain features that benefit the winner to such an extent that they undermine the principle of separation of powers and enable a degree of concentration of power capable of undermining the constitutional system as a whole.

The situation was exacerbated by a number of other regulatory and societal factors, in particular:

- In 2022, the ECtHR found that the provisions governing minority voting in parliamentary elections violated the Convention; nevertheless, the system was not reformed.
- The postal voting system – in addition to being discriminatory, as it is available only to voters who do not have a registered address in Hungary, but not to voters who have a registered address in Hungary and are abroad on election day – is, due to deficiencies in its regulatory framework, unsuitable for ensuring the secure exercise of voting rights. It is vulnerable at numerous points to such an extent that these vulnerabilities are capable of undermining the integrity of the postal voting system as a whole.
- Electoral remedies are not inclusive and are subject to extremely stringent formal requirements. In the case of appeals, judicial review, and constitutional complaints, the scope of persons entitled to initiate proceedings is restricted; judicial review requires legal representation. This affects the accessibility and effectiveness of electoral remedies.
- Disproportionality between electoral constituencies persists in several constituencies, violating the principle of equal suffrage.
- Electoral abuses committed against and through the exploitation of vulnerable voters, electoral fraud, and electoral clientelism remain extremely widespread.

That the TISZA Party was able to achieve an electoral victory resulting in a government change even under these circumstances does not mean that the systemic problems have ceased to exist. On the contrary, it highlights the greatest danger inherent in the current system: the ease with which a single party can obtain a constitution-making (2/3) majority. Although creating a new electoral system is among the new government's objectives, no legislative measures have yet been taken to remedy the deficiencies in electoral law outlined above. According to the Prime Minister's pledge, the new constitution and the new electoral law will be completed by 2030. A comprehensive reform of the electoral system is required which, similarly to the constitution-making process, is based on broad professional and public consultation and takes into account the recommendations of the Venice Commission and the OSCE/ODIHR, as well as judgments of the European courts.

Recommendation:

- The Government should initiate, in a timely manner and with sufficient time for preparation, a comprehensive reform of the electoral system and procedures through a transparent, open, inclusive and democratic legislative process, taking into account the recommendations of the Venice Commission and OSCE/ODIHR, as well as relevant judgments of the European courts.

3. The independence of the judiciary and the rights of judges

Since 2010, the previous ruling-party majority has undermined judicial independence as part of its efforts to dismantle the system of checks and balances. Concerns in this regard have arisen in a number of areas and have all jeopardised the independent work of the judiciary and the right to a fair trial: abuses relating to the appointment and promotion of judges and court leaders, a lack of transparency in the allocation of court cases, and the inadequate provision of resources for the courts and of salaries for judges and judicial staff. Judges' adjudication independence was also undermined in several respects, and political smear campaigns against judges and their representatives – such as members of the National Judicial Council (NJC) or judicial associations – curtailed their freedom of expression. A particular problem was the failure to enforce European and Hungarian court judgments, as well as the apex court's (the Kúria's) ability to block the direct effect of EU law. Whilst the 2023 judicial reform did strengthen the powers of the NJC, further legislative amendments are necessary to ensure that it can effectively fulfil its constitutional role. For example, the NJC's right to be meaningfully involved in processes concerning legislative and judicial organisational matters is still not being adequately upheld.

Following this year's elections, no progress has been made regarding the ordinary courts towards resolving the above issues and addressing these concerns. For example, there is no lasting solution in sight for the courts' resources or for the adequate remuneration of judges and judicial staff, nor is there any draft legislation on the table aimed at abolishing the much-criticised financial compensation scheme or strengthening judges' freedom of expression. At the same time, in May, the NJC presented an analysis and recommendations aimed at ensuring that the constitutional role of judicial self-governance is upheld.

The sole example of an amendment affecting judges is the 17th Amendment to the Fundamental Law, which introduced the judges' involvement in the nomination and in the recall of the presidents of the Kúria and the National Office for the Judiciary. Although this significantly strengthens the role of judges in the selection and removal of these two figures within the judicial administration, several professional organisations have voiced criticism of the latter concept, pointing out that it could lead to divisions within the judiciary and a decline in public confidence in the judiciary. However, the Parliament has not yet adopted the detailed statutory provisions in this regard, so it remains to be seen what impact the new rules will have on judicial independence. One positive development, however, is that the systematic governmental attacks on judges and the courts have ceased following the elections; indeed, in his first speech to the Parliament, the Prime Minister expressly apologised to the judges who had been targeted by the previous government.

In summary, no specific legislative proposals have yet been tabled with a view to restoring the independence of the judiciary and strengthening its effectiveness; consequently, the above concerns remain.

Question:

- What legislative amendments are planned to strengthen the independence of the courts, improve the efficiency of their operations, and address the remuneration of judges and judicial staff, with particular regard to the legislative proposals put forward by the National Judicial Council?

4. Law-making

In recent years, the law-making process has, in every respect, become closed, unpredictable and dominated by the executive. Public consultation on draft laws has been reduced to a formality; the majority of comments received on draft laws, submitted for public consultation with short deadlines, minimal explanation and insufficient impact assessments, have been rejected without any genuine justification. The government frequently circumvented its obligation to consult. Serious concerns have been raised regarding the activities of the Government Audit Office (KEHI), which oversees the ministries in this regard. Procedural tools (such as committee amendments tabled at the last minute and "fast-track" procedures) were routinely used in the Parliament to ensure that controversial bills were passed without substantive debate. This was compounded by the state of danger in place since 2020 and the abusive application of emergency decrees.

Since the elections, the legal framework on public consultation has not changed, and problems such as the excessively broad scope of exemptions from the obligation to consult and the too short (8-day) minimum consultation period remain. Failure to consult is not subject to any genuinely deterring legal consequence, and only results in fines imposed by KEHI. It still happens that the government circumvents public consultation by having MPs table draft legislation that is part of government policy, since then consultation is not prescribed – this happened e.g. in the case of the 16th Amendment to the Fundamental Law and an amendment to the Media Act. Instead of a consultation, a five-day "public dialogue" took place regarding the 17th Amendment to the Fundamental Law. Although the state of danger, which "expired" on 13 May 2026, was not extended, a number of emergency decrees were elevated to the level of an Act of Parliament, becoming part of the ordinary legal order. The Parliament's Rules of Procedure remain unchanged, giving considerable leeway to committees dominated by the ruling majority. The maximum number of certain "fast-track" legislative procedures was increased until the end of the year.

Promising steps have been taken regarding the institutional structure. A Parliamentary Committee on Social Participation was established; but it has only just begun to effectively function. Several ministries have already consulted directly with organisations concerned on professional matters. Furthermore, a government commissioner responsible for "a functioning and humane Hungary" has been appointed, whose duties include examining domestic and international best practices in social participation and establishing an Institute for a Functioning and Humane Hungary "with a view to strengthen professional and social dialogue". However, it remains unclear how these new structures relate to one another and to the ministries' public consultation obligations. The Közhang platform has been launched; and while this is linked to the government, it is operated from private funds, with a non-profit limited liability company acting as the data controller. Furthermore, it is unclear how the opinions received through this platform will be channelled into the government's work.

Overall, it is positive that ensuring public participation features as a priority in the new government's communications, but the development of the respective new institutional structure is still ongoing, while the legal framework remains largely unchanged, leaving room for abuse.

Questions:

- What further steps does the government plan to take to establish the legal and institutional conditions for a transparent, open, inclusive and democratic law-making process and to ensure its implementation in practice?
- When does the government plan to establish the rules that will define the framework for drafting the new constitution?

5. Privacy and data protection; freedom of information

In the 1990s, Hungary was at the forefront of safeguarding informational rights, particularly data protection and freedom of information. Following 2010, however, the legal and institutional safeguards underpinning these fundamental rights deteriorated significantly. While the current government has expressed a commitment to addressing these deficiencies, meaningful restoration of the relevant safeguards has yet to be achieved.

Under the rules of secret state surveillance, almost anyone can still be surveilled in a way that complies with the law, and there is no effective control over the national security services. Mass facial recognition was introduced to deter potential participants from banned Pride demonstrations. There was no public consultation before the instalment of the facial recognition system, and both its functioning and the exact procedural rules governing its use by law enforcement remain opaque to this day.

With the adoption of Act XVIII of 2026 on the Amendment of Certain Acts Necessary in Order to Access European Union Funds, the freedom of information (FOI) framework was amended with regard to both proactive and reactive transparency. In the field of proactive disclosures, it is welcome that the range of bodies obliged to provide information in the Central Information Register of Public Data has expanded and the searchability of the database has improved. However, it is still a problem that the data supplied to the government portal is inconsistent and not adequately verified. Access to information is also aided by the fact that data controllers can no longer invoke the need to produce new data sets as a ground for refusal where the data is otherwise available at a subordinated body. These amendments can be regarded as an *ad hoc* response to the changes restricting freedom of information introduced in recent years. They do not remedy the grounds for restricting disclosure that are proliferating in sectoral laws (e.g. foreign policy interests, protection of government decision-making) and further fragmenting the FOI framework, nor the fact that the Parliament has still not complied with CC Decision 7/2020. (V. 13.), so a FOI lawsuit still cannot be brought against entities that use public funds. A problem arising in the past year is that FOI requests involving multiple data can be taken to court in a more limited way than before.

Recommendations:

- The legislator should immediately implement the ECtHR's *Szabó and Vissy* and *Hüttl* judgments and establish the necessary safeguards over secret surveillance for national security purposes.
- All regulations allowing the use of facial recognition in petty offence cases must be repealed. The use of facial recognition technology for law enforcement purposes must be limited to strictly necessary cases, and the functioning of and the procedures regulating its use must be made transparent. It must be set out in law that criminal liability cannot be based solely on facial recognition.
- Act CXII of 2011 on the Right to Informational Self-Determination and on the Freedom of Information should be subjected to a comprehensive review, and the government should take the legislative preparatory steps necessary to comply with CC Decision 7/2020. (V. 13.).

6. Media freedom

The Orbán regime began in 2010 with the restructuring of the media system, a process best described as the capture of the media. The public service media operated as a propaganda machine; several analyses have concluded that it conveyed the government's narrative and that its news coverage was unbalanced. The media authority consisted exclusively of members delegated by the ruling party, and its decisions favoured those close to the ruling party, a fact that was particularly well documented in the case of radio frequency tenders. The media market became heavily distorted, with billions in state advertising going to pro-government media, putting independent media companies at a competitive disadvantage, as state institutions advertised with them either not at all or only to a minimal extent. Meanwhile, the government used a variety of means to restrict access to information, and independent journalists found themselves working under increasingly difficult conditions.

Following the elections, the Parliament passed a new media law, which brought about significant changes in two areas. On the one hand, the restructuring of public service media began, and the Independent Public Media Board was established, with members delegated by the governing party and professional organisations; the delegates from the opposition were not approved by the committee of the Parliament. On the other hand, a new Media Council (*de facto* media authority) was formed, with new rules compared to previous arrangements: three members are nominated by the governing party, three by the opposition, and the chair of the body was selected through an open application. The process proceeded smoothly, albeit with minor hiccups; the Parliament's committee selected the chair and endorsed the delegates from the parliamentary parties. At the plenary session, however, the Parliament did not approve the two members nominated by the former governing parties, and there has still been no explanation as to why, if the committee had accepted the nominees on the previous day. According to media reports, the Prime Minister personally decided not to approve them and informed the parliamentary group of this on the spot, but has still not provided any explanation for his reasons. The Parliament approved the candidate put forward by the third opposition party, Mi Hazánk, but a few days later he became the party's vice-chairman; consequently, he resigned from the Media Council due to a conflict of interest. The party nominated a new candidate to replace him. There is as yet no information as to whether the former governing parties will propose a new candidate; in any case, under the amendment to the Media Act, co-regulatory bodies may in such circumstances delegate members to the authority. A situation may therefore arise in which the former governing parties are not represented on the Media Council; however, we need not expect the composition of the body to be as one-sided as we have seen over the past decade and a half.

There have already been positive changes in the media system; news coverage by public service media has become much more balanced, the government is not campaigning, and no state aid is flowing to any single media company. At the same time, no structural reform of the media law has taken place; for the time being, there is no information on when a new media law will be introduced or when Hungary will fulfil its European obligations (in particular: EMFA, TTPA).

Questions:

- How does the current governing party intend to ensure that delegates from the former governing parties are also given seats in the Media Council?
- When will a comprehensive reform of media regulation take place?

7. Freedom of association and the situation of civil society organisations

The period between the summer of 2013 and the 2026 parliamentary elections was characterised by from time to time subsuming but altogether increasingly intensive pressure on independent civil society organisations (CSOs). The main tools of that pressure were propaganda campaigns designed to undermine CSOs' credibility and efforts to restrict their funding, which were enshrined in law from 2017 onwards. A key milestone in this was the adoption of the 2023 act on the Sovereignty Protection Office, which elevated the discreditation of CSOs to an official state level. The Office regularly portrayed funding from the EU and the organisations receiving it as a threat to Hungary's sovereignty. In May 2025, the government tabled a bill on the "transparency of public life", which would have enabled the government – on the basis of the Office's recommendations – to blacklist and label CSOs as a "sovereignty risk", effectively preventing them from receiving funding from outside Hungary and making it significantly more difficult for them to secure domestic support. Debate on the bill was postponed until the autumn 2025 session, but it was ultimately not placed on the agenda prior to the elections.

With the change of government, the pressure previously exerted on CSOs has significantly eased. In his first parliamentary speech, the Prime Minister apologised to CSOs, which had previously been under attack; smear campaigns and stigmatisation have essentially disappeared from mainstream public discourse, and a review of the legislation affecting CSOs has also begun. In June 2026, the Parliament passed the Act on the Abolition of the Sovereignty Protection Office, and the so-called "special immigration tax" (a law never applied in practice, but having a significant chilling effect through severely taxing "activities supporting immigration") was also removed from the Hungarian legal framework with effect from 1 January 2027. In addition to these legislative changes, positive developments have also taken place in other areas. In August 2026, the Ministry of Social Relations and Culture held a consultation involving numerous CSOs about the Ministry's plans to reform the system of state funding for CSOs and to develop a comprehensive civil society strategy with the civil sector's involvement. In September 2026, the Parliamentary Committee on Social Participation issued a call for CSOs wishing to participate in the legislative process to register themselves in a data base recording the scope of each organisation's activities, "with a view to facilitating future consultations". Dialogue and collaboration with CSOs have also begun in certain specific policy areas; however, this is not yet widespread, and in some key areas (such as the restoration of the rule of law), cooperation with CSOs has been rather sporadic so far.

In summary, the new governing majority has taken a number of tangible, positive steps in this area, but the coming period will reveal the extent to which CSOs are meaningfully involved in certain key issues (e.g. during the reform of the system of CSO funding). It also remains to be seen whether and how the new government intends to address the issues highlighted in the European Commission's 2026 Rule of Law Report (the complexity of the registration process, significant administrative burdens).

Questions:

- What is the government's timetable for drawing up the new civil society strategy and reforming the funding system for the civil society sector, and how does it plan to involve civil society organisations in this process?
- Does the government plan to address the issues relating to the registration and administration of civil society organisations, as highlighted in the European Commission's 2026 Rule of Law Report, and if so, when?

8. Women's rights

In recent years, tackling structural gender inequalities: the gender pay gap (16.9%), that the employment rate for women – particularly among those raising three or more children and among Roma women – lags behind that of men, and that women still spend nearly twice as much time on domestic and childcare tasks as men, has not been a government priority. The implementation of the directive aimed at increasing women's participation in governing bodies has fallen behind, even though Hungary has one of the lowest rates in the EU of women in political and economic decision-making positions (women account for only 11% of the governing bodies of listed companies). Nor has the EU Pay Transparency Directive yet been transposed, despite the previous government having had more than three years to do so. Nor did it ratify the Istanbul Convention, even though Hungary had one of the highest rates in the EU of women experiencing physical and/or sexual violence and threats (49.1%). A serious setback was the previous government's decision, via an amendment to an implementing regulation, to make it compulsory for women seeking an abortion to be shown the foetus's vital signs, including the pulsation of the heart tube. Medical abortion remains unavailable in Hungary (being available in approx. 85% of EU Member States); moreover, Hungary is one of only two EU Member States where emergency contraception still requires a prescription.

The new government term may signal a change. The proportion of women in the Parliament and at ministerial level has increased significantly. Equal opportunities for women featured in the new ruling party's election programme, including, for example, equal pay for equal work, flexible working conditions, support for single-parent families, the eradication of period poverty, and maternity care that respects women's dignity and rights. However, a serious shortcoming of the programme is that neither the issue of safe, widely accessible and non-judgmental abortion nor the ratification of the Istanbul Convention is mentioned.

It is a positive sign that the new government is taking steps to familiarise itself with the work and experiences of women's rights organisations. Consultations have taken place with such organisations at ministerial level regarding the eradication of violence against women, the introduction of pay transparency, and the review of abortion legislation. However, as to the latter, the legislative process is dragging on, whilst the views of stakeholders who represent neither women's rights nor health perspectives are also being taken into account. The process of further consultations lacks sufficient transparency; it is unclear what further stages of consultation can be expected, which stakeholders will be involved, and what decision-making mechanism will be used to incorporate the proposals and comments of civil society organisations.

In summary, positive developments have begun in the areas of consultation with women's rights CSOs and the representation of women in decision-making positions; however, no specific proposals for legislative amendments have yet been tabled. Consequently, the problems that existed prior to the elections have not been resolved at legislative, institutional or practical levels.

Questions:

- When does the governing majority plan to ratify the Istanbul Convention?
- What specific measures does the government plan to take to ensure widespread and safe access to abortion?
- What is the government's timetable for transposing the EU Pay Transparency Directive, and what specific measures does it intend to take to ensure that women are not disadvantaged in the labour market?

9. The rights of LGBTQI people

The human rights of members of the LGBTQI community have been severely restricted by the government rhetoric and measures of the past decade and a half. In May 2020, the Parliament banned legal gender recognition, i.e. made it impossible for transgender and intersex people to change their gender marker and name. The ban on legal gender recognition was enshrined at constitutional level in 2025 through the 15th Amendment to the Fundamental Law; simultaneously, the legislature removed gender identity from the list of protected characteristics in the Equal Treatment Act. The ECtHR has repeatedly condemned Hungary for failing to provide a quick, transparent, and accessible procedure for legal gender recognition, preventing transgender individuals from bringing their official documents into alignment with their social reality. In 2025, the CJEU established that the right to rectification under the EU General Data Protection Regulation (GDPR) extends to updating gender data in accordance with one's lived gender identity, a standard with which current Hungarian practice fails to comply. On 21 April 2026, the CJEU ruled that the anti-LGBTQI propaganda law (2021) introducing content-based restrictions violates, among other things, the founding values of the EU. Following the CJEU judgment, the provision used to restrict LGBTQI-themed assemblies – which the police had relied upon to ban the 2025 Budapest Pride and Pécs Pride marches and initiate criminal proceedings against the organizers – was effectively rendered void. Despite the CJEU's judgments in the Coman and Mazowiecki cases and the decision of the Hungarian Constitutional Court, authorities still do not recognize foreign same-sex marriages in any form.

In post-election legislation, the governing majority has not yet amended or repealed a single anti-LGBTQI law, though a bill partially implementing the CJEU's April ruling is currently before the Parliament. According to the autumn legislative program, the government will submit a bill to ensure the recognition of foreign same-sex marriages as registered partnerships. The tone of public discourse has improved significantly, with the governing majority avoiding rhetoric that frames sexual and gender minorities as a threat. Leading politicians have spoken out in favour of equal rights for same-sex couples, and the Prime Minister has pledged to reform the system of individual (single-parent) adoption by removing the requirement for ministerial approval.

Overall, it is a positive development that the Deputy State Secretariat for Equal Treatment and Accessibility was established within the Ministry of Social and Family Affairs, although their mandate still fails to explicitly list the LGBTQI community among the protected groups. In 2026 – despite restrictive legal provisions still in force – the police acknowledged both Pride marches, and the previously initiated criminal proceedings were dropped. In line with court rulings, guardianship authorities have forwarded the files of applicants for individual adoption to the competent minister; after many years, and with the minister's approval, authorities issued several suitability decisions for prospective adoptive parents living with same-sex partners. While the implementation of a portion of the adverse court judgments marks the beginning of reforms to the exclusionary legal environment, the timeline and scope of these changes remain uncertain.

Question:

- When and what further steps does the government plan to take to repeal laws restricting the rights of LGBTQI people, including the discriminatory provisions of the Fundamental Law?

10. The rights of persons belonging to the Roma minority

Systemic disadvantages affecting individuals belonging to the Roma minority have been present in Hungary for decades, particularly in the areas of education, housing, employment, and access to services. One of the most severe of these problems is educational segregation. In its judgments, the ECtHR has condemned Hungary for this practice and ordered the government to establish an effective desegregation policy. However, Hungary has failed to implement these judgments. In fact, through the additional powers granted to church-maintained educational institutions, the Orbán government's education system has not reduced, but rather preserved and even increased the school segregation and exclusion of Roma children. Through the legislative amendment that became known as "lex Gyöngyöspata", an attack was launched in 2020 against compensation awarded by a final court judgment for school segregation: under the law, if a child suffers an infringement of their personality rights in connection with an educational institution, compensation must primarily be provided in the form of educational, training, or other services, and monetary compensation may only occur in exceptional cases. In addition to educational segregation, regulations adversely affecting Roma people have also worsened in the field of housing: the "right to community identity" incorporated into the Fundamental Law (Article XXVII (1)), as well as the Act on the Protection of Local Identity – which raises serious fundamental rights concerns – enable local municipalities to make the settlement or property acquisition of those "lacking local ties" subject to local conditions. Following the entry into force of the law, local ordinances were passed en masse across the country, often with almost identical content, filtering newcomers based on income, wealth, and social status. Experience shows these ordinances have resulted in the indirect discrimination of families belonging to the Roma minority, further reinforcing housing segregation.

According to the educational program of the current government, the elimination of educational inequalities and Roma segregation is a priority national strategic objective. To this end, an audit of the entire state education system and a review of regulations preserving segregation are underway. In connection with the "lex Gyöngyöspata", the Commissioner for Fundamental Rights established in June 2026 that it may give rise to an infringement of fundamental rights. Since then, however, no progress has been made. As for the local identity law, although in 2026 several government offices – acting within their legal supervisory authority – found local identity ordinances to be discriminatory and ordered their repeal, the enabling act itself and the underlying provision of the Fundamental Law have not been repealed to this day. As a consequence of this, as well as the lack of a uniform nature in the administrative actions taken within the framework of legal supervision, many blatantly discriminatory ordinances remain in force. These typically restrict or render impossible the housing of people of Roma origin, leading to violations of Hungarian and EU law.

Overall, it is a positive development that the new administration seems to be breaking with the previous approach of accepting educational segregation and has designated its elimination as a national strategic goal. At the same time, it is a cause for concern that housing segregation is still enabled by the Fundamental Law, the Act on the Protection of Local Identity, and the local ordinances enacted pursuant to it.

Recommendations:

- The government should initiate the prompt repeal of the second sentence of Article XXVII (1) of the Fundamental Law as well as the repeal of the Act on the Protection of Local Identity by the Parliament.
- The government should initiate the repeal of "lex Gyöngyöspata" by Parliament as soon as possible.

11. The rights of migrants, asylum seekers, and refugees

From 2015 onwards, the previous government dismantled access to asylum in Hungary. The system established in breach of international and EU law has remained unchanged since the new government took office. With a few narrow exceptions, people in need of international protection are still unable to make an asylum application in the territory of Hungary or at its borders: they must first submit a declaration of intent at the Hungarian embassy in Belgrade or Kyiv and may travel to Hungary only with the authorisation of the asylum authority. In 2023, the CJEU found that this so-called "embassy procedure" is in breach of EU law.

The legislation that the CJEU found to be in breach of EU law in 2020 also remains in force, allowing the police to push back unlawfully staying third-country nationals across the border into Serbia without an individual assessment or access to a legal remedy. Due to Hungary's failure to comply with the judgment, in 2024 the CJEU ordered it to pay a lump sum of EUR 200 million and a penalty payment of EUR 1 million per day. The new government has nevertheless taken no steps to end the infringement.

Although the provisions of the EU Pact on Migration and Asylum have been applicable since 12 June 2026, Hungary has still not taken the legislative, institutional and practical measures necessary for their implementation.

The state of crisis due to mass migration, which has been maintained without interruption since 2016, extends the pushback regime to the entire territory of Hungary. Through Government Decree 144/2026. (IX. 4.), the new government extended the state of crisis until 31 December 2026. Although this extension is shorter than the previous six-month extensions, the government has thereby continued to maintain a state of crisis that cannot be justified by objective circumstances.

On the same day, the government adopted Government Decision 1289/2026. (IX. 4.) on the review of Hungary's asylum and border-management legislation. The decision does not commit the government to ensuring access to international protection or complying with the judgments of the CJEU. Instead, it makes changes to the legislation currently in force conditional on the outcome of negotiations concerning compensation for the financial burden arising from the EU fine and an EU contribution to the costs of border control. The Minister of Interior is required to submit a proposal by 1 November 2026, but the decision lays down no specific requirements regarding its content. The government is not consulting organisations with decades of professional and legal-aid experience in the field of asylum on the substance or direction of the review.

Overall, since the new government took office, no process has begun at the legislative, institutional or practical level to bring Hungary's asylum system into compliance with EU and international law, nor has any meaningful professional consultation been launched to prepare such a process. The announced review cannot in itself be regarded as a step forward, particularly because its purpose and outcome remain uncertain while the unlawful rules and practices remain unchanged.

Recommendation:

- The government should comply with the relevant judgments of the CJEU: it should end mass pushbacks and the embassy procedure and immediately ensure effective access to the asylum procedure in the territory of Hungary and at its borders.

12. Economic and social rights

Previous shortcomings in the field of economic and social rights still persist.

The rules governing individual employment relationships have not been amended. The provisions of Act I of 2012 on the Labour Code that favour the interests of employers, typically in large-scale industry, to the detriment of employees remain unchanged (for example, the cap on arrears of wages recoverable in labour disputes, the reference period for the calculation of working time, and temporary agency work). In 2023, the CJEU ruled that daily rest must be granted before weekly rest, and that the two rest periods cannot be subsumed into one another. Since then, the Kúria has confirmed this interpretation in numerous judgments by recognising employees' entitlement to wage supplements where working time has been scheduled unlawfully. However, as the Labour Code has not been amended accordingly, the legislation remains incompatible with EU law.

There have been no substantive changes to collective labour relations, and the right to strike remains significantly restricted, particularly for public service employees. It is nevertheless welcome that, following consultations with a stakeholder group, the strike entitlements of employees in public education were amended to strengthen teachers' interests, making it easier to organise warning strikes. The ECtHR is expected to deliver its judgment in October 2026 in *Teachers' Trade Union and Teachers' Democratic Trade Union v. Hungary*, concerning the minimum services that teachers are required by law to provide during a strike.

The amount of the "social reference base" also remains unchanged. Like the minimum old-age pension, it serves as the calculation basis for determining numerous social benefits and reductions in costs and fees. The amount of the "social reference base", which is established not by statute but by a government decree, has remained unchanged at HUF 28,500 (EUR 77) since 2008. In the face of rising inflation, this amount is no longer sufficient even to meet basic subsistence needs.

The amount of the family allowance paid in respect of children has likewise not been indexed since 2008. Under Act LXXXIV of 1998 on Family Support, the monthly allowance for one child is HUF 12,200 (EUR 33). While family support provided in the form of tax allowances disproportionately benefits higher-income families, the removal of children from their families for financial reasons, particularly due to inadequate housing, remains a concern. The Commissioner for Fundamental Rights drew attention to this problem as early as 2017 in a report.

Article XXII (3) of the Fundamental Law continues to prohibit habitual dwelling in public spaces, thereby criminalising homelessness. The CC has refused to annul the respective provision of the misdemeanour law, despite the UN Special Rapporteur on the right to adequate housing having found the legislation to be in breach of international human rights law. It is nevertheless welcome that, in May 2026, the CC clarified that begging may be punished "only where the conduct in question directly endangers the safety of the person solicited for the purpose of obtaining money, or the public-purpose use of public space".

Recommendations:

- The government should take steps to establish a comprehensive reform guaranteeing the right to strike for public service employees.
- The amounts of the "social reference base", used to calculate social benefits and fee and cost reductions, and of the family allowance should be set in an Act of Parliament, and both should be indexed to inflation.
- Article XXII (3) of the Fundamental Law, which criminalises homelessness, should be repealed.