

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

Hungarian Civil Liberties Union (HCLU)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☐ Checks and Balances
- ☒ Other

If "Other", please specify

Protection of specific fundamental rights.

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://hclu.hu>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

088667934874-58

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☒ Hungary
- ☐ Ireland
- ☐ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Surname

Email Address of the organisation

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could

be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany

- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section

2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

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

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application /enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

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

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

The recommendations of the 2024 Rule of Law Report were not implemented. No legislative proposals have been made to introduce mechanisms strengthening the functional independence of the media regulator. Neither has there been any steps taken to strengthen the independent governance and the editorial independence of public service media, the KESMA is still operating; in fact, there has been some regression, such as the establishment of the Sovereignty Protection Office.

There were some negative developments. The President of the National Media and Infocommunications Authority (hereafter: Authority) was appointed as the Digital Services Coordinator in Hungary. According to the EU's Digital Services Act (DSA), the Digital Service Coordinator is appointed by the Member States, without any formal approval by the European Commission. However, the DSA requires national digital service coordinators to carry out their tasks impartially and transparently, and to be politically and economically independent and free from external influence. The President of the Authority, who is also the President of the Media Council hardly meets this condition. The political influence of the Media Council is treated as a fact in all relevant EU documents. In the light of this, it is surprising that the President of the Media Council and the Authority can be given such a significant European mandate.

There was also a development in the public service media. In 2016, Mertek Media Monitor and its partners submitted a complaint to the European Commission concerning the unlawful state aid of public service media. After eight years the Commission sent its final response, rejecting the complaint, but the reasoning does not seem very profound.

The distribution of advertising spending in 2024 continued to favour the ruling Fidesz party's political interest, as evidenced, among others, by the spending on political advertising on social media prior to the European and local elections held in Hungary on 6 June. From the beginning of 2024 until election day, Fidesz and two government-organised non-governmental organisations (GONGOs), Megafon and the Civil Solidarity Forum

(CÖF), which are funded mainly by donations from obscure private donors alongside state-owned companies and Fidesz's party foundation, spent about four times as much on Facebook and Google ads as all 15 opposition parties and their associated media combined (€ 5.3 million vs. € 1.3 million). Political ad spending by the pro-government camp was extremely high even by European standards. The top three most advertised political videos on YouTube in the EU were Fidesz videos. Moreover, Fidesz and its satellite organisations were the main purveyors of hostile disinformation narratives, accounting for 98.6% of the total € 2.0 million spent on promoting such narratives.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

The issues raised in our previous contributions to the Rule of Law Reports still prevail, but there are some developments.

The Authority is a convergent authority, which handles as regulator the telecommunications and media markets within a single body. The Media Council is part of the Authority; it has a distinct competence in the media field. The President of the Authority and the Media Council are the same person.

On 27 April 2024, in the EP and local election campaign period, public service M1 television broadcasted a political advertisement supporting the governing party in its news programme. The National Election Commission found this to be a violation, but the public media continued this practice. The Media Council, the supervisory body of public service media, investigated the case following a complaint but without any consequences. The Media Council warned the public service media and ordered them to refrain from future infringements and to comply with the law. This decision was made in August, almost three months after the election. As usual, the reasons for the decision are not available on the Media Council's website, only the result itself. This practice creates a serious transparency problem in the operation of the Media Council.

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

In 2024, the Authority's budget was HUF 57.8 billion (€ 146 million). The Parliament approves the Media Council's budget as part of the Authority's integrated budget. The Media Council's operating budget in 2024

was HUF 554 million (€ 1.4 million). These amounts are theoretically suitable to guarantee high-level professional work, however, in the case of the Authority and the Media Council these serve as the price of the loyalty.

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

5000 character(s) maximum

The framework for the appointment of the president of the National Media and Infocommunications Authority (Media Authority) and the Media Council (the regulatory body of the Authority) and other connected bodies has not changed.

The President of the Authority is appointed by the President of Hungary for nine years upon the proposal of the Prime Minister. Upon appointment, the President becomes the nominee for the presidency of the Media Council and is elected by the Parliament with a two-thirds supermajority for 9 years; the Parliament's role is limited to a mere right to reject the nominee. Somewhat more substantive parliamentary control is present in the election of the four other members of the Council (each for nine years), which is based on the proposal of the Parliament's Cultural Committee, in which the two-thirds majority of the members are of the governing parliamentary group Fidesz-KDNP, but opposition delegates are still present.

The Authority published the "Evaluation of Media Freedom Reports Published in 2024" (hereinafter: Evaluation) in which it addresses the concerns articulated in the international media freedom reports concerning the Hungarian media landscape and the Authority since 2010. According to the Authority, "[t]he appointment of the members of the Media Council and its chairman is subject to strict procedural and conflict of interest rules". Although the Media Council acknowledged the significance of the two-thirds parliamentary mandate, it denied its control despite the ruling party's unilateral decision in appointments: "[a]ccordingly, while the two-thirds parliamentary mandate does indeed allow for a wider scope of decision-making, it does not follow that any non-governmental body is under the control of the government".

The Public Service Public Foundation's duty is to ensure the legislative requirements over the public service media. Its Board, the operating body, consists of six members elected by the Parliament (three nominated by the governing parties and three by the opposition parties, for nine years), the president of the Authority, and another delegate of the Authority. Membership ceases with conflict of interest, a dispensation (in case the person is undergoing conservatorship), or exclusion (if the person culpably fails to perform the role for more than six months, or if convicted and sentenced to imprisonment, or if professionally disqualified regarding the person's role in the Board or deprivation of civic rights). If a vacancy arises in the same parliamentary term or a different one with the same parliamentary composition, either the governing majority or the opposition which nominated the previous member has the right to nominate. From August 2022, if a vacancy arises in a different parliamentary term that changes the composition, the Parliament's Cultural Committee nominates, considering the changes. In both cases, after nomination, the Parliament elects the new members for a term lasting until the expiration of the other elected members' term. If the delegated president's or the delegated member's status ceases, the Authority delegates another president/member in 15 days for a term lasting until the expiration of the other elected members' term. The current Public Service Media Foundation board members were elected in 2019 by the Parliament, with an additional member elected in 2021 as one of the former members died.

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

5000 character(s) maximum

The situation has remained almost unchanged since our latest contribution to the Rule of Law Report was submitted. Act CLXXXV of 2010 on Media Services and on the Mass Media (hereafter: Media Law) created a co-regulation system as an alternative to the Media Council's control (the Media Council is the media authority in Hungary). The Media Law authorised media market players to set up co-regulatory bodies which have the authority – with exclusive jurisdiction – to implement rules relating to media content. The Media Law provides that the Media Council may conclude administrative agreements with the co-regulation bodies. Based on these agreements, the co-regulation body handles a specified range of cases within the official authority's jurisdiction and performs other functions relating to media administration and media policy. In this framework the responsibility of co-regulatory bodies is to decide upon complaints concerning the activities of service providers, to arbitrate disputes between media enterprises and to monitor the activities of providers.

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

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

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

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

Self-regulatory bodies are weak and have no significant role in the Hungarian media. The Association of Hungarian Journalists (MÚOSZ) is a journalists' organisation with long traditions, but the average age of members is quite high, and the organisation is not very active. A new organisation (Médiaforum) was established in the autumn of 2024, but there is no information on its functioning yet.

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

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

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

It is well documented that state advertisers favour pro-government companies and avoid independent media. This practice renders fair competition impossible and distorts the market. State sources finance politically

favoured media outlets, and this helps several pro-government media enterprises to flourish, or at least survive the economically difficult years. These media companies are unquestionably loyal to the Government: the editorial practice has to serve the interest of the ruling parties if they want to preserve their most important revenue source. At the same time independent media outlets have become extremely vulnerable because of the unfair competition. The market-distorting effect of state advertising spending is still prevalent, as recent research shows.

The state advertising spending is built on public procurement. The communication activity of the public sector is carried out under one framework agreement with the National Communications Office (Nemzeti Kommunikációs Hivatal, NKOH). In the last years the New Land Media and Lounge Design consortium won the communication public procurement tenders. They have the same owner, Gyula Balásy, a pro-government businessman.

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

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

Since 2015, when the NKOH started its work, the state has spent HUF 1,360 billion (€ 3.4 billion) on communication. This amount is constantly increasing month by month. Detailed analysis of the 2012–2023 communication spendings proved that “Balásy’s companies are getting an increasing share of the procurement pie within politically connected (crony) companies. Furthermore, Balásy’s companies receive 84 percent of the contracts tendered by the [NKOH] without market competition. All of these features indicate an extremely high level of corruption risk.”

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

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

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

Article 7 of the so-called Media Constitution protects the independence of journalists in the following way: journalists are entitled to professional independence from the owner of the media content provider and from the person supporting the media content provider or placing a commercial announcement in the media content, as well as to protection against pressure from the owner or the person supporting the media content to influence the media content (editorial and journalistic freedom). A journalist cannot be penalised under employment law or any other legal penalty for refusing to comply with an order that would curtail their editorial and journalistic freedom. In practice, however, this rule has no practical significance and no journalist has ever taken legal action on this ground.

In February 2024, on the pro-government news portal Index, the most important parts of an article disappeared: when the new opposition figure Péter Magyar gave a long interview to the Partizán YouTube channel, Index wrote a long summary, but then subsequently deleted the most important parts. There is no information on what reaction this provoked within the editorial staff and how it affected journalistic work.

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

According to the Media Law, Duna is the public service media provider and it is more or less appropriately subject to external control mechanisms (Board of Public Service Public Foundation, Public Service Body, Public Service Fiscal Council), but in reality, the oversight is merely a façade since it has no resources. And then there is the Fund, which disposes of taxpayer funds without being subject to any meaningful independent control. The Fund is subject to the review of a single organisation: the Media Council. The budget of Duna for 2024 was HUF 2.35 billion (€ 5.9 million), while the budget of the Fund was HUF 142 billion (€ 355 million). This is obviously a hacking of public service media transparency requirements.

The Media Council decides on the extension of radio licences in an arbitrary manner. In 2023, the Authority continued to support the expansion of Fidesz-affiliated radio stations. Based on the analysis of the Authority's decisions, there were 24 radio frequency tenders in 2023; three of them were inconclusive. Out of the remaining 21 tenders, 15 frequencies were allocated to an operator close to the government (nine radio stations are owned by pro-government investors, six radios are owned by a church) and only six frequencies were allocated to other operators. The 2024 analysis is not yet available, but the trends are similar.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

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

The transparency of ownership is not a major problem in the Hungarian media landscape. The owners can

be checked in the company registry and offshore background is not typical.

There are no real ownership constraints in the Hungarian media legislation, it is allowed to build a big media empire. Article 171 of the Media Law provides that the Hungarian Competition Authority (HCA) is obliged to obtain the position statement of the Media Council for the approval of the concentration of enterprises if the enterprises or the affiliates of two groups of companies bear editorial responsibility and their primary objective is to distribute media content to the general public via an electronic communications network or a printed media product. The official position statement of the Media Council shall bind the HCA. The Media Council shall not have the right to reject granting an official licence when the level of merger between independent opinion sources after the merger will ensure the right for diversity of information within the particular market segment for the media content service.

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

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

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

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

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An alert, specifically Alert No. 246/2024 was made when the Sovereignty Protection Office (SPO) launched an investigation against independent publisher Átlátszó. The Government has yet to address the alert. Following the SPO's report, in a town council meeting, a mayor read from the report as he was reading some “interesting facts” after Átlátszó was mentioned, despite no relevance to the meeting. The SPO published a report in which it accused independent media of being “pro-war”.

The independent news outlet Magyar Hang was investigated by Hungary's secret service. Three of its employees were subjected to interrogation and polygraph tests more than a week after the outlet mistakenly published false news — an error for which they apologized the following day. The legal basis for the procedure is still unknown.

The Constitutional Court rejected the constitutional complaint of the publisher of the news outlet HVG on 5 November 2024. HVG's journalist published an article in 2018 with the title “Magyar ember nem lop, csak kalandozik” (“The Hungarian man does not steal, he just wanders”). The article aimed to highlight how the police failed to investigate the case of Prime Minister Viktor Orbán's son-in-law, István Tiborcz, whose company, Elios, caused 13 billion forints in damages in a systemic corruption case. The journalist drew a historical parallel, in which he compared the case to the Hungarian invasions of Europe (“magyar kalandozások”, which translates to “Hungarian wanderings”). Two anonymous men felt personally offended by the references and pursued legal action. The first-instance court found a violation of personality rights, namely “community dignity”, stating that the author had projected his offensive criticism of the government onto the entire Hungarian national community. The court argued that while the title and core message of the article could have been interpreted as criticism of public discourse, the average reader would not have

recognized this.

Specific journalists or media outlets are still being banned from government press conferences.

A recent ruling by the ECtHR in the case *Csikós v. Hungary*, highlighted that Hungary is still not in compliance with the ECHR regarding regulations on authorizing state surveillance. It found that there are no adequate protections to prevent the use of spyware against journalists. Despite this, Hungarian authorities have not considered these practices illegal. In cases where the Hungarian Civil Liberties Union (HCLU) represented journalists targeted by the Pegasus spyware, the National Authority for Data Protection and Freedom of Information (NAIH, Hungary's DPA, i.e. data protection authority) stated that it could not confirm whether wiretapping had occurred, but if it did, it was deemed lawful. HCLU challenged this decision. While the Metropolitan Court of Budapest ruled in decision no. 105.K.701.218/2023/16. that NAIH failed in its constitutional duty by not recognising the targeted individuals as journalists, the Supreme Court upheld the NAIH's decision no. NAIH-3409-1/2023. as lawful.

Journalists critical of the Government are facing repercussions, and smear campaigns are still present.

A relatively new phenomenon is that Prime Minister Viktor Orbán filed press rectification lawsuits against media outlets.

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

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

There have been multiple cases where police have obstructed the work of the press. The police banned the press from reporting on eviction procedures. Furthermore, in one instance the police and the Counter-Terrorism Centre repeatedly asked Telex whether their camera in use had been a stolen camera and attempted to inspect it – the action's aim was keeping the press away from the Foreign Minister's forum during the 2024 election campaign. On 18 November 2024, Media1 editor-in-chief Dániel Szalay was obstructed by two police officers while reporting from the General Aviation Terminal at Budapest's Ferihegy Airport. He was there to cover the landing of a private jet carrying top executives from the RTL Group and Bertelsmann Group.

444.hu was targeted with a distributed denial-of-service (DDoS) attack on 8 June 2024. Klubrádió, Átlátszó and Media1.hu were facing DDoS attacks from 9 August to 16 August 2024.

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Access to data regarding public funds remains restricted based on the constitutional amendment that narrowed down the definition of public funds. The Parliament is still in failure to comply with the legislative duty ordered in a 2020 Constitutional Court decision that set a due date of 31 December 2020, to amend the Act of Parliament regulating freedom of information (FOI) procedures since the current law does not guarantee judicial remedy in case public information is not held by a public authority but by an organisation

which entered into financial relations with a public body. Currently, this omission results in the lack of legal remedies for those requesting such public data, as courts dismiss these cases without examining the case on the merits. The Constitutional Court rejected complaints invoking the lawmaker's omission.

There have been several instances where lawmakers amended freedom of information laws in response to journalists' inquiries, such as in 2023, when journalist Tibor Lengyel and K-Monitor sued the Prime Minister's Government Office. K-Monitor sought government decisions from 2010–2012 and details on public funds spent on recent public interest asset management foundations. In all three cases, the court ruled that the Government must release the decisions. Following these lawsuits, the Government amended the law on government administration. Starting in March 2024, new rules have been in effect regarding the documentation of government meetings. If disclosing a government decision threatens public interest, the respective ministry can refuse disclosure or limit access for up to 20 years, considering whether withholding information outweighs the benefits of transparency.

Átlátszó won a FOI lawsuit against the Hungarian National Asset Management (Magyar Nemzeti Vagyonkezelő, MNV) regarding the purchase price of the Prime Minister's favourite newspaper, Nemzeti Sport, which was purchased by the state. In a different case, Átlátszó asked the institution responsible for managing Hungary's public service media, the MTVA (which stands for Media Service Support and Asset Management Fund, in Hungarian: Médiaszolgáltatás-támogató és Vagyonkezelő Alap) for information on agreements signed between MTVA and Chinese state-controlled media structures. As MTVA refused to fulfil the FOI request, Átlátszó sued the public media group.

For months, the Office of the President of the Republic has not responded to journalists' inquiries regarding the leaders of the subdivisions under President Tamás Sulyok, elected on 5 March 2024.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

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The emergence of GDPR-based SLAPPs still poses a significant threat to independent journalism, obstructing their work and imposing substantial administrative, financial, and legal burdens on both publishers and journalists, even if the challenged article was addressing matters of public interest and produced using data from public databases or otherwise public data. In Hungary, wealthy individuals with political connections often exploit and weaponize the provisions of the GDPR to prevent the press from reporting on their significant business enrichment, which are often backed by public funds.

As Hungary did not adopt a journalistic exemption when implementing the GDPR, the balance between the right to privacy and freedom of the press is left to the discretion of the authorities. This has led to controversial and inconsistent jurisprudence that overlooks the press' constitutional duty. However, in 2024, amidst several decisions following the previous narrative, some progressive rulings were issued by both NAIH and the Kúria.

A billionaire, a family member of Hungarian entrepreneur and unofficial government advisor Árpád Habony, initiated a DPA procedure after Magyar Narancs – by republishing an article from Blikk – reported on his actions. The man resisted police during his removal from a festival for drunken misbehavior, threatened the police with his influence, and broke his arm during the incident. Decision no. NAIH-8720-8/2024 acknowledged that the case was of high public interest, with the individual being an ad hoc public figure, thus having a heightened duty to tolerate disclosures, including personal information. NAIH found that the processing of data was lawful.

Another case emerged when Forbes published its 2020 annual wealth list. A billionaire criticized Forbes for reporting on the criminal proceedings against him, claiming it was an unlawful disclosure of his criminal record. He also complained that the magazine used outdated data to compile the list. The case was referred to the Kúria, which ruled in 2022 that the procedure should be repeated. In 2024, the Kúria ruled in its decision no. Pfv.IV.20.387/2024/5. that Forbes did not infringe the businessman's right to the protection of personal data.

In the case described in Alert No. 12/2020, Forbes magazine was prohibited from listing one of Hungary's wealthiest families, the Barabás family, in its annual ranking due to GDPR objections from the businessmen. The first instance court issued a preliminary injunction (PI) stating that Forbes is prohibited to control their data apart from storing them, and the case was taken to the ECtHR by the HCLU. On 4 March 2024, the Budapest-Capital Regional Court ruled largely in favor of Forbes (decision no. 25.P.21.067/2023/21), confirming its legal basis for data control and repealed the PI. Forbes reported this as a victory, but members of the Barabás family initiated proceedings before the DPA (which are ongoing) and a press rectification lawsuit, claiming Forbes only partially won and argued that the PI is still in effect as the appeal delayed its entry into force, thus Forbes is still prohibited from publishing on the family. Forbes lost the lawsuit on the first instance in decision no. 10.P.21.051/2024/6. of the Budapest-Capital Regional Court. HCLU filed an appeal, but the Budapest-Capital Regional Court of Appeal upheld the first instance judgement in its decision no. 10.P.21.051/2024/6.

Forbes' annual wealth list ignited a novel lawsuit in 2024 initiated by the Barabás family. They claimed that the PI ordered in 2019 was still in effect, thus Forbes was prohibited from publishing their personal data. They initiated the court to order a new PI, which the court rejected and argued that the first PI was still in effect. HCLU filed an appeal. Decision no. 2.Pkf.25.826/2024/2. of the Budapest-Capital Regional Court of Appeal ruled in favor of Forbes and agreed that the PI was repealed. Meanwhile initiating multiple procedures, the family objected to each data control and to each notification made by Forbes.

No progress has been made in Hungary regarding the implementation of the Anti-SLAPP Directive.

Any other developments related to media pluralism and freedom - please specify

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According to the Media Pluralism Monitor's 2024 Hungary Country Report, access to information has become more difficult. The main reasons are the dominance of pro-government media in the traditional media market, the unfair distribution of state advertising, and the transformation of most independent online media to subscription-based models due to financial challenges. As a result, the audience with access to independent sources of information is shrinking.

This is particularly relevant to the spread of disinformation, as Hungary remains unique within the European Union in having government-organised media as the main source and disseminator of fake news and conspiracy theories. As a result, the Hungarian population is exceptionally susceptible to fake news and conspiracy theories, according to a survey conducted in Hungary, Czechia, Slovakia and partly Bulgaria in 2024. The survey found that scepticism toward facts and objective reality is alarmingly high in Hungary, with more than two-thirds of the population questioning the credibility of information presented as fact.

Government conspiracy theories invoking national sovereignty and stoking fears of alleged Western influence are particularly strong in Hungary, with people expecting interference from both Russia and the United States. At the same time, trust in the European Union has not yet been eroded, despite the Government's rhetoric that "Brussels" is trying to interfere in Hungarian political affairs and is allegedly planning to install a "puppet government" under the leadership of the newly emerged opposition politician

Péter Magyar.

Under the guise of defending national sovereignty, it has become common practice in the Orbán regime to label independent journalists and outlets as foreign agents. The Sovereignty Protection Office has become a key actor in this effort, giving the attacks an official, neutral and legal appearance. For now, the SPO serves mainly propaganda purposes, but it is seeking regulatory powers.

Over the past year, the Hungarian government has continued to fail to take effective steps to counter the spread of disinformation, mostly of Russian origin, aimed at destabilizing the European Union. At the same time, the Government has used the pretext of fighting disinformation to crack down on its critics. The most recent example is the aforementioned investigation by the Constitution Protection Office against the independent weekly Magyar Hang and opposition leader Péter Magyar for a false report, which could easily turn into a witch hunt against the remaining free press.

In stark contrast, no such action has been taken regarding fake news and conspiracy theories disseminated by government-organised media. Similarly, no national security investigation has been launched into Russian-origin disinformation about the war in Ukraine or the smear campaign against Hungarian civil society organisations and journalists that was orchestrated by the Israeli private intelligence firm Black Cube. The obstruction of the independent press and the dissemination of government disinformation and conspiracy theories ultimately serve the purpose of obscuring Hungary's deteriorating economic situation and the Orbán regime's weak governance and accountability. As Hugh Williamson, Europe and Central Asia director at Human Rights Watch, said in a statement releasing Human Rights Watch's 2024 Media Freedom Report on Hungary: "The clear objective of hollowing out media freedom is to prevent the public from holding the government accountable."

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1]/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

rule-of-law-network@ec.europa.eu