

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

International Press Institute

Main Areas of Work

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

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

500 character(s) maximum

<https://ipi.media/>

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

370877536078-58

* 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

Oliver

Surname

Money-Kyrle

Email Address of the organisation

info@ipi.media

*** 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

This submission is drawn from IPI's report published with the Media and Journalism Research Centre on Media Capture in Greece and regulatory alignment with the EMFA <https://ipi.media/publications/media-capture-monitoring-report-hungary/>

The threats to media pluralism highlighted in previous Rule of Law Reports have remained unaddressed. No measures have been adopted or are planned to regulate the channelling of state advertising to media outlets, to guarantee the functional independence of the media authority and to ensure the editorial and financial independence of public service media. Journalists and independent media outlets continue to face numerous challenges including seemingly coordinated smear and de-legitimation campaigns, and selective access to government premises and events. Further legislative changes have introduced some restrictions to freedom of information.

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 implementation of Article 30 of the Audiovisual Media Services Directive (AVMSD) on the independence of media regulators reveals significant discrepancies between local legislation and the requirements of EU law. While the National Media and Infocommunications Authority (NMHH) is legally framed as an independent body, the reality is starkly different. The ruling Fidesz party's control over the appointment of the

NMHH's president and members of its Media Council undermines their operational independence. This situation is aggravated by the lack of transparency in the nomination process, where appointments reflect the interest of the government and the ruling party rather than the intended impartiality outlined in the AVMSD and equally required under the European Media Freedom Act (EMFA).

Moreover, the practical achievement of the EMFA's goals is compromised by the NMHH's biased regulatory actions. Reports indicate that a significant majority of media tenders favour outlets aligned with the ruling party, and the authority have often prioritised pro-government interests in media mergers and frequency allocations. Such practices not only threaten media pluralism but also facilitate the dissemination of government propaganda, further eroding the public's access to diverse and independent journalism. Therefore, while the legal framework suggests adherence to EMFA standards, the execution of these laws demonstrates a departure from their core principles, reflecting a broader trend of governmental control over media regulation.

Aligning with EMFA's general provisions: what is needed?

The NMHH and the Media Council are currently fully controlled by the ruling Fidesz party due to its super majority in parliament. New measures should be introduced to ensure the political independence of the media regulator. Proposals include:

- Ensure a transparent and inclusive appointment process: Reform the selection process for the President of the NMHH and the Media Council to include various stakeholders, such as opposition parties, civil society, and independent experts.
- Limit government influence in regulatory appointments: Introduce legal requirements to consider recommendations from professional bodies, civil society and opposition parties.
- Shorten the terms of key positions: Revise the current nine-year terms for the President of the NMHH and members of the Media Council to a shorter term to reduce the risk of long-term political entrenchment and ensure regular oversight.
- Introduce conflict of interest rules to prevent political appointees or members of the ruling party from holding positions in media regulatory bodies or having undue influence on media-related decisions.

Further enhancing the media environment: what is needed?

- Clarify appeal mechanisms and strengthen judicial oversight: Amend the legal framework to allow for effective judicial review of the Media Council's decisions.
- Increase transparency: Implement systematic and transparent publication of all meeting minutes, decision rationales, and all stakeholder input.
- Establish independent monitoring and accountability mechanisms: Establish an independent oversight body composed of diverse representatives tasked with overseeing the activities of the regulator.
- Prevent political bias in licensing and media mergers: Develop objective criteria for frequency allocation and media merger assessments, with an independent committee reviewing high-stakes decisions.

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 governance structure of the NMHH and the Media Council is characterised by a high degree of governmental control, raising significant concerns regarding transparency and independence.

The President of the NMHH is appointed by the President of Hungary, following a proposal by the Prime Minister, for a term of nine years. The president may be dismissed under certain circumstances, including failure to resolve conflicts of interest, conviction in a criminal proceeding, or inability to perform duties for more than six months for reasons attributable to them.

The NMHH also has vice-presidents, who are appointed or recalled by the president of the NMHH. This structure gives the NMHH president considerable influence over the organisation's leadership and direction. Similarly, the Media Council is composed of a president and four members, all of whom are elected by the

National Assembly. A two-thirds majority vote of the members of Parliament present is required for the election process to proceed. The President of the NMHH is also the President of the Media Council. Members of the Media Council serve nine-year terms, in alignment with the tenure of the NMHH president. The mandate of the Media Council members can be terminated under similar circumstances to those of the NMHH president.

Despite the ostensible clarity of the legal framework, the nomination process is subject to widespread criticism for its lack of transparency. While the law allows the Prime Minister to request proposals from professional organisations for these positions, there is no obligation to consider these proposals seriously. The lack of transparency in the selection process has enabled the Prime Minister to exercise significant influence over the appointment of candidates. While the appointment of government-appointed directors to telecommunications agencies is not uncommon, the manner of appointing the authority's president in Hungary is tantamount to "government capture" of the authority. The current system leaves the Parliament with no viable alternative but to vote for the Prime Minister" candidate, thereby undermining the independence of the media regulatory body.

Aligning with EMFA's general provisions: what is needed?

The NMHH and the Media Council are currently fully controlled by the ruling Fidesz party due to its super majority in parliament. New measures should be introduced to ensure the political independence of the media regulator. Proposals include:

- Ensure a transparent and inclusive appointment process: Reform the selection process for the President of the NMHH and the Media Council to include various stakeholders, such as opposition parties, civil society, and independent experts.
- Limit government influence in regulatory appointments: Introduce legal requirements to consider recommendations from professional bodies, civil society and opposition parties.

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

5000 character(s) maximum

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 analysis of Hungary's compliance with Article 25 of the EMFA, concerning the misuse of state funds to influence media output, reveals an even more disappointing reality.

There are no legal provisions ensuring fair and transparent distribution of state advertising, allowing the government to allocate funds based on political allegiance rather than objective criteria. This lack of alignment with the EMFA is compounded by the dominance of state-sponsored advertising, which has become a major source of influence over media output, benefitting government-aligned outlets while marginalising independent media.

The allocation of state advertising funds not only serves to reinforce pro-government narratives but also constrains the financial viability of independent media, which struggle to compete against well-funded, government-supported entities. The absence of transparency in state advertising contracts and a lack of independent oversight or monitoring mechanisms further aggravates the issue.

Despite efforts from civil society to document and challenge these practices, their impact remains minimal. The implementation of EMFA's Article 25 in Hungary falls short, undermining media pluralism and freedom

of expression.

Aligning with EMFA's general provisions: what is needed?

- Introduce comprehensive legislation to ensure that state advertising is distributed according to transparent, objective, proportionate, and non-discriminatory criteria, is made publicly available in advance, and is awarded through open, proportionate, and non-discriminatory procedures. This should include mandatory public disclosure of all contracts, agreements and financial transactions related to state advertising, including amounts and recipients, to ensure compliance with EU transparency standards.
- An independent oversight body should be appointed to monitor government advertising, ensure compliance, and issue annual reports. This body should operate autonomously, without government or political interference, to enforce fair distribution practices and ensure accountability.

Further enhancing the media environment: what is needed?

- Develop a reporting and complaints mechanism to allow independent media to raise concerns about discriminatory practices and unfair competition.
- Introduce legislation to limit political influence: Implement regulations that prevent political actors from misusing state resources to influence media output. This should cover not only traditional media, but also social media and digital platforms, and include third-party political advertising funded by public money to ensure transparency and limit the use of such funds to promote government or party narratives.
- Increase transparency in state advertising: Require real-time publication of government advertising expenditures, disaggregated by amount, recipient, and purpose, on a publicly accessible platform. Regularly assess and publish reports on the impact of state advertising on media pluralism, including any undue influence or distortion of competition, and use these assessments to guide policy adjustments.
- Ensure market fairness: Develop guidelines for commercial advertisers to protect them from government coercion and ensure that their advertising decisions are based on market considerations, not political pressure.
- Strengthen plurality in the advertising market: Promote competitive neutrality by limiting the share of state-sponsored advertising in the overall media market, as well as in individual media outlets, to avoid excessive reliance on state funding, thereby supporting the sustainability of independent media.
- Promote media pluralism: Develop guidelines to ensure that government advertising is fairly and proportionately distributed to all media outlets, regardless of political orientation, with a focus on supporting media outlets that serve underserved regions or minority communities. Support media independence and sustainability: Establish a fund, independent of government control, to provide financial support to media outlets based on their performance, audience reach and adherence to professional standards, creating an alternative to government advertising for independent media.

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

5000 character(s) maximum

The implementation of EMFA's Article 5 regarding public service media independence in Hungary demonstrates a significant gap between the legal framework and actual practice. Although laws exist to

safeguard independence, the government wields substantial influence over public service media through the Media Service Support and Asset Management Fund (MTVA), controlling both funding and content. This power is reinforced by the ruling party's political dominance, leading to issues like biased reporting, firing of dissenting journalists, spreading disinformation, and imposing editorial lines that favour the government's agenda.

Thus, despite legal compliance with EMFA, significant governmental interference pervades, shifting the media focus from genuine public service to state propaganda.

The PSM is required by law to adhere to the principles of fairness, balance, and impartiality in its news coverage. These expectations are clearly set out in various laws and regulations, including the Media Law and the Public Service Code. These emphasise the need for accurate, detailed and objective information, the representation of diverse political viewpoints and the inclusion of differing opinions. The Press Freedom Act also stipulates that linear media service providers are obliged to provide balanced coverage of significant events and controversial issues at local, national and European levels. The law sets out detailed rules to ensure proportionality and the maintenance of democratic public opinion. However, in practice, these standards are not adhered to.

The President of NMHH, the regulatory authority, has even questioned the concept of press independence, stating that it is a myth propagated by journalists. These stances reflect a broader trend in which the principles of balanced coverage and impartiality, although enshrined in law, are not effectively enforced. The case of Dániel Papp serves to illustrate this trend. Despite having been previously labelled a "news falsifier" by a court order for a report that distorted reality, he was later appointed CEO of MTVA. During his tenure, the organisation has been involved in several controversial practices, including the misrepresentation of protests against the government with manipulated camera angles to minimise the apparent size of the crowd and the presentation of biased political coverage.

The OSCE/ODIHR's election observation mission for the 2022 elections determined that biased and unbalanced news coverage, along with the absence of debates between key candidates, had a significant negative impact on voters' ability to make informed decisions.

In stark contrast to other European Union countries, where disinformation is typically the domain of fringe media, in Hungary it is the PSM that plays a central role in the dissemination of disinformation.

Aligning with EMFA's general provisions: what is needed?

- Strengthen the legal framework for editorial independence: Amend the media law to explicitly prohibit political appointees from holding key editorial positions in public media.
- Reform governance structures: Change the composition of the Public Service Foundation Board of Trustees to reduce the dominance of politically appointed members.
- Increase transparency in financial oversight: Introduce legal changes to decouple the MTVA from government control and ensure that budget allocations and expenditures are transparent and independently monitored. This should include ending the annual budget approval by parliament and ensuring a long-term budget that is not subject to arbitrary political decisions and negotiations.
- Redefine the role of the Media Council: Implement legal safeguards to limit the Media Council's ability to appoint and dismiss senior PSM staff. Introduce a requirement for bipartisan parliamentary approval of such appointments to prevent partisan capture. Any dismissal of senior personnel must be properly justified if they fail to meet the conditions, and should include the possibility of judicial review.
- Establish an independent monitoring body: Establish an independent, powerful body tasked with monitoring compliance with legal requirements for editorial independence, balanced coverage, and fairness, and the degree to which it fulfils its public service mandate. This body should be mandated by law and operate separately from both the Media Council and the Public Service Foundation.

Further enhancing the media environment: what is needed?

- Establish clear editorial guidelines: Adopt clear, publicly available editorial guidelines within PSM that emphasise the principles of impartiality, fairness and balanced reporting. These should be reinforced by regular internal and external audits of editorial practices.

- Adopt a merit-based recruitment system:
- Ensure internal editorial autonomy:
- Diversify content through external contributors
- Encourage external review and reporting:

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

5000 character(s) maximum

Hungarian media laws partially align with EMFA Articles 6 and 22 on media pluralism and political influence. While basic operational transparency is mandated, detailed ownership disclosure is not required. This lack of comprehensive legislation weakens accountability.

Media pluralism is compromised by pro-government ownership consolidation. Despite safeguards against excessive concentration, enforcement is inconsistent. Authorities block some mergers but allow pro-government expansions, such as KESMA, by classifying them as strategically important.

This selective approach undermines editorial independence and content diversity, failing to meet EMFA's transparency and media pluralism goals in Hungary.

While the law requires the NMHH to maintain media ownership records, it does not explicitly mandate the creation of a national media ownership database. The law's primary objective is to guarantee that all media services and press products are registered with the relevant authority, rather than to establish a comprehensive database on ownership structures.

While there are currently no comprehensive regulations governing transparency in the ownership structures of media companies, and media authority registers offer only limited details about media service providers, direct ownership information can be accessed through the business register. Moreover, in practice, the public is frequently aware of the ultimate beneficial owners behind a particular outlet due to the scrutiny from journalists and researchers.

The legislation places limitations on the expansion of certain media service providers and the acquisition of shares in other media companies. These limitations are in place if the provider has an annual average audience share of at least 35% for linear audiovisual services or 40% for linear radio services. The objective of this restriction is to prevent excessive market concentration.

In order to acquire stakes or start new services, media service providers must obtain approval from the Media Council. In the event that the provider falls under concentration rules, the Media Council is obliged to reject the application if it fails to comply with the regulations designed to prevent market concentration. Moreover, providers may enter into a formal agreement with the Media Council to guarantee compliance with diversity requirements.

Furthermore, the Media Council gathers data from media service providers to evaluate market concentration and may impose penalties for non-compliance with data requests.

Following the establishment of KESMA in 2018, government-aligned media owners offered their assets to the new foundation free of charge, resulting in the creation of an entity controlling a significant portion of the media market with 476 outlets. This led to similar concerns about limiting content diversity being raised, which were cited as reasons for rejecting the merger of Ringier and Axel Springer seven years earlier by the Media Council. However, the government classified the transaction as of national strategic importance, which prevented the media authority or the competition authority from launching an investigation.

Aligning with EMFA's general provisions: what is needed?

- Strengthen media ownership transparency requirements: Update existing legislation to include explicit requirements for the disclosure of ownership structures, beneficial ownership, and the participation of state or public entities in media companies.
- Create a public media ownership database: Mandate the creation of a national media ownership database that is easily accessible to the public and includes detailed information on ownership changes,

funding sources, and potential conflicts of interest.

- Establish independent monitoring of media market concentration: Reform the Media Council and ensure that it is independent and free from political influence to oversee media market concentration and mergers, with a clear mandate to prioritise media pluralism and editorial independence in the assessment of media acquisitions. All decisions on mergers and acquisitions must be based on transparent criteria and be subject to judicial review.
- Limit political interference in media regulation: Establish a legal framework that explicitly prevents the government from classifying media transactions as of “national strategic importance” in order to circumvent competition and media pluralism rules.
- Prevent political bias in media mergers and licensing: Develop objective criteria for evaluating media mergers and spectrum allocation, with an independent committee reviewing high-stakes decisions.

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

5000 character(s) maximum

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

5000 character(s) maximum

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

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

5000 character(s) maximum

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

5000 character(s) maximum

The Sovereignty protection Office opened two investigations in 2024, against Transparency International and against the investigative journalism outlet Atlatzso.

The SPO had also initiated the collection of private citizens' data in cooperation with public and state institutions including the Media and Infocommunications Authority and the Tax and Customs Authority. It had

also asked the Hungarian national Bank to monitor bank transactions and to use AI to flag 'patterns and hidden correlations' endangering sovereignty. It spread a research report accusing independent media of spreading 'pro-war propaganda in the interest of foreign powers', and hired an ex-intelligence officer as the head of its research institute.

The goal is to intimidate journalists and shut off revenue. They accuse media of spreading disinformation in the service of foreign interests, undermine public trust and raise the chilling effect across the media and civil society.

A new law is under preparation to make foreign funding public and, where it is used to 'serve pro-war propaganda' the authorities will 'return the funds to the donor'.

The EC's infringement procedure against the Sovereignty Act is now referred to the European Court of Justice.

In October the SPO published its report into Atlatzo accusing it of being a member of an international network built in accordance with the US doctrine of national security and foreign influence acquisition from the 1980s. It describes Atlatzo's as an opportunity to mask intelligence activities against the Hungarian state and its institutions, disguised as legitimate data gathering.'

Atlatzo rejects all the accusations and has launched a defamation case against the SPO.

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

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