

2026 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, six 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 2026 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 2026 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) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

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.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[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 and enforcement 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.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. 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.

* 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

Main Areas of Work

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

If "Other", please specify

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

500 character(s) maximum

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

* 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

If "Other", please specify

Please indicate the country of origin of your organisation

Switzerland

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 as we will not be able to guarantee anonymisation of these elements.**
- ☐ 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 2026 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 for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

This is a joint submission by a Hungarian human rights NGO and the Center for Reproductive Rights. Our organisations work to defend, protect and advance sexual and reproductive health and rights. This submission highlights how the deterioration of the rule of law in Hungary accelerated in 2025 and negatively impacted gender equality, sexual and reproductive health and rights and other fundamental rights, while also increasing the challenges faced by those who defend these rights.

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 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 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 2025 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)

[single market relevance] 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

[single market relevance] 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

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial 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 in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

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 2025 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/specialised 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 in particular as regards high-level officials (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 if available to you**, 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

[single market relevance] 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, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

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 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

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

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

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

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

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

- **[single market relevance]** 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

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

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

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/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 in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

Legislation affecting sexual and reproductive health and rights (SRHR), as well as organisations and individuals defending these rights, is routinely prepared and adopted without public consultation, impact assessments, or evidence-based justification. Despite the essential role of SRHR civil society organisations (CSOs) in advancing gender equality and SRHR through advocacy, service provision, research, and monitoring, they are systematically excluded not only from the processes for the adoption of primary legislation, but also from the development of implementing measures and professional guidance that directly shape how laws are applied in practice, including in healthcare settings.

This exclusion has concrete consequences for women's rights and health. Key implementation decisions are

made without independent expertise, rights-based analysis, or meaningful scrutiny. These shortcomings are embedded in Hungary's legislative framework. Public consultation is legally required only for bills submitted by government ministers and can be easily circumvented,[1] while the prolonged use of extraordinary legal regimes since 2020,[2] most recently the extension of the "state of emergency" (veszélyhelyzet) until May 2026,[3] has further weakened safeguards.

The lack of consultation, evidence-based policymaking, and impact assessments is illustrated by the "Transparency of Public Life" Bill, tabled in the National Assembly on 13 May 2025. The Bill would allow the government to defund or dissolve organisations receiving foreign funding to "influence public life" on the grounds that they threaten Hungarian sovereignty. It was introduced in Parliament without an explanatory memorandum, public consultation, or impact assessment. Its implementation would build on earlier restrictive legislation and hostile rhetoric targeting foreign-funded organisations, including Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life and Act LXXXVIII of 2023 on the Defence of Sovereignty. The Bill creates legal uncertainty and a chilling effect for CSOs, including SRHR and gender equality organisations that advocate for the respect, protection, and fulfilment of these rights.

A similar lack of transparency characterises the development of clinical guidelines in obstetric care. On 19 February 2025, the Ministry of Internal Affairs published guidelines on family-centred obstetric and neonatal care. The preparatory process for these guidelines excluded SRHR CSOs and independent experts. Although a grassroots SRHR organisation was formally listed as consulted, it publicly denied any involvement and criticised the opaque process.[4] Subsequent guidelines on labour induction (30 September 2025) and caesarean sections (16 October 2025) were also adopted without meaningful public consultation or a transparent process.[5]

References:

- [1] Venice Commission, Hungary - Opinion on the Compatibility with International Human Rights Standards of the Fifteenth Amendment to the Fundamental Law of Hungary, 13 Oct. 2025 [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2025\)043-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2025)043-e), para.14.
- [2] Hungarian Helsinki Committee, Hungary: Perpetuated States of Exception Undermine Legal Certainty and Human Rights, 2 Apr. 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/04/HHC_Hungary_states_of_exception_20240402.pdf; ILGA Europe, Our submission to the EC rule of law report, 5 Feb. 2025, <https://www.ilga-europe.org/report/2025-rule-of-law-report/>, p. 13.
- [3] Telex, Jövő májusig marad a veszélyhelyzet, rendkívüli jogrend lesz az áprilisi választás idején is, 21 Oct. 2025, <https://telex.hu/belfold/2025/10/21/parlament-veszelyhelyzet-meghosszabbitasa-2026-os-valasztas>.
- [4] A Belügyminisztérium egészségügyi szakmai irányelve a családközpontú alapelvekre épülő szülészeti és újszülöttellátásról, 19 Feb. 2025, https://www.neak.gov.hu/pfile/file?path=/letoltheto/EOSZEF_letoltheto_doku/002295-2025-a-csaladkozpontu-alapelvekre-epulo-szuleszeti-es-ujszulottellatasrol&inline=true, p. 295; Másállapotot a Szülészetben Mozgalom ("Other conditions in Obstetrics Movement"), Facebook announcement, 24 Feb. 2025, <https://www.facebook.com/masallapotot/posts/pfbid0exKVkSW12vLzFqG5xLhvrWTcN4Uua83T9FdUVXHX35eCvRa6QSHsYEvQ48n6EM2Ql>.
- [5] A Belügyminisztérium egészségügyi szakmai irányelve a szülésindukcióról ("Ministry of Internal Affairs health guidelines on labour induction"), 30 Sept. 2025, https://www.neak.gov.hu/pfile/file?path=/letoltheto/EOSZEF_letoltheto_doku/002151-2025-a-szulesindukciorol&inline=true; A Belügyminisztérium egészségügyi szakmai irányelve a császármetszésről (Ministry of Internal Affairs health guidelines on Caesarean sections), 16 Oct. 2025, <https://eleterzesegyesulet.hu/wp-content/uploads/2025/11/002099-A-Belugyminiszterium-egeszsegugyi-szakmai-iranyelve-a-csaszarmentszesrol.pdf>.

[single market relevance] 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

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Recent developments in the adoption of clinical guidelines in obstetric and neonatal care raise serious concerns regarding legal certainty and the coherence of the regulatory framework. While the February 2025 guidelines on family-centred obstetric and neonatal care introduce some limited positive elements, they largely present evidence-based practices as optional and do not adequately address informed consent and women's decision-making autonomy, disregarding international public health standards.

The guidelines also include provisions that may conflict with higher-level legislation, notably the Act on Health Care. In particular, their wording may be interpreted as restricting the number or presence of birth companions, despite the Act on Health Care not prohibiting the presence of more than one accompanying person.

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 (including effective access to relevant data) 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 year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] 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

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] 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

[single market relevance] 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

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

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

The proposed “Transparency of Public Life” Bill marks a sharp escalation in the Hungarian government’s ongoing use of legislation to restrict and stigmatise independent civil society. Tabled in the National Assembly on 13 May 2025 and still pending, the Bill would pose existential risks for CSOs that rely largely or exclusively on foreign funding, including organisations working to advance SRHR and women’s rights. In practice, it could effectively end their advocacy and service delivery.

The Bill would empower the Sovereignty Protection Office (SPO) to propose organisations for inclusion on a government-approved list of organisations considered to “use foreign support to influence public life”, without judicial oversight or effective remedies. Once listed, organisations would require prior government authorisation to receive foreign funding, lose eligibility for the 1% personal income tax allocation, and face significant fines or dissolution for non-compliance.

The Bill would also misuse anti-money laundering and counter-terrorism financing rules by subjecting all foreign funding to enhanced scrutiny based on its perceived potential to “influence public life”. Banks would be allowed to divert such funds to a state-owned fund, and managers of targeted organisations would be treated as

“politically exposed persons” within the meaning of Act LIII 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing, with an obligation to submit annual asset declarations. The Bill would apply to all organisations receiving foreign funding, including private donations from within the EU and grants from EU institutions.

The Bill’s enactment would seriously undermine freedom of association and damage civic space in Hungary. It would build on an already hostile regulatory environment shaped by laws such as Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life and Act LXXXVIII of 2023 on the Defence of Sovereignty. These laws have expanded state surveillance and administrative control over CSOs engaged in human rights and public-interest advocacy (Act LXXXVIII of 2023 is already being subject to an EU infringement procedure).[1]

Within this environment, independent CSOs – especially small, under-resourced organisations that rely on foreign funding, including SRHR and women’s rights CSOs – are especially vulnerable. They already face excessive audits, complex compliance obligations, and legal uncertainty that drain capacity and create a chilling effect, even where measures are not yet enacted. For SRHR CSOs that provide essential sexual and reproductive health care services, including counselling and information, or advocate for sexual and reproductive rights, the Bill would severely undermine their ability to operate. These impacts would have direct consequences for public access to essential reproductive health services and the broader enjoyment of SRHR in Hungary.

References:

[1] European Commission, Press release - The Commission decides to refer Hungary to the Court of Justice of the European Union considering its national law on the Defence of Sovereignty to be in breach of EU law, 3 Oct. 2024, https://ec.europa.eu/commission/presscorner/detail/mt/ip_24_4865.

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

The combined impact of the proposed “Transparency of Public Life” Bill, if adopted, and the ongoing activities of the Sovereignty Protection Office (SPO) would severely undermine the ability of CSOs and human rights defenders to operate safely and effectively. The SPO already weaponises CSOs’ reliance on foreign funding, publicly naming organisations and portraying their legitimate activities as threats to national sovereignty, even when funded through EU programmes.

In January 2025, for example, two women’s rights organisations – including one whose work includes SRHR service provision and advocacy – were explicitly named in the SPO’s report titled “The European Commission’s CERV programme: This is how Brussels turned on the money tap to fund the Soros network”, after they received EU funding through the Citizens, Equality, Rights and Values (CERV) Programme.[1] Public naming, combined with intensified administrative scrutiny, drains scarce resources, forces CSOs into defensive compliance-focused work, and deters participation in advocacy or democratic oversight.

The adoption of the “Transparency of Public Life” Bill would further amplify these pressures by restricting the

ability of CSOs to receive foreign funding and imposing severe financial sanctions. Its vague definition of “activities aimed at influencing public life” would allow the state to target CSOs for legitimate human rights work, including advocacy, research, and monitoring of Hungary’s compliance with international human rights obligations.

Collectively, the rules and practices under the proposed “Transparency of Public Life” Bill, if adopted, and the ongoing activities of the Sovereignty Protection Office erode the safety, independence, and sustainability of civil society. CSOs, including SRHR organisations, would be forced to divert limited resources toward legal defence and compliance, undermining their ability to deliver essential services and pursue human rights work. The mere prospect of such measures creates a chilling effect that constrains advocacy and public engagement, and pushes organisations toward self-censorship.

References:

[1] Szuverenitásvédelmi Hivatal, Az európai bizottság cerv programja — így nyitotta meg brüsszel a pénzcsapot a soros-hálózat finanszírozására, 29 Jan. 2025, <https://szuverenitasvedelmihivatal.hu/dokumentumok/Az-Europai-Bizottsag-CERV-programja-Igy-nyitotta-meg-Brusszel-a-penzcsapot-a-Soros-halozat-finanszirozasara.pdf>, para 4.7.

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)

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Hungary’s recently adopted and proposed legislation significantly restricts CSOs’ ability to secure and maintain financial support, thereby consolidating state control over civic space and public-interest advocacy. Existing laws, such as Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life and Act LXXXVIII of 2023 on the Defence of Sovereignty, already subject CSOs receiving foreign funding to extensive administrative burdens, reporting obligations, and scrutiny by state authorities.

The “Transparency of Public Life” Bill would go much further. It would empower the Sovereign Protection Office to compile a government-approved list of organisations deemed to “use foreign support to influence public life” and subject them to sweeping restrictions. Listed organisations would require prior approval to receive any foreign funding, lose access to the 1% personal income tax donation scheme, and be subject to extensive reporting and asset-declaration requirements. Their leaders could be classified as politically exposed persons under Act LIII 2017 on the Prevention and Combating of Money Laundering and Terrorist Financing and be obliged to submit annual asset declarations.

Non-compliance could result in fines of up to 25 times the foreign funding received, a ban on activities, and, ultimately, the forced dissolution of the organisation. These measures would structurally undermine alternative and independent sources of funding for CSOs, including SRHR organisations, at a time when many rely heavily on EU or external funding.

Since state funding is opaque, politicised, and largely inaccessible to independent rights-based CSOs, shifting control over financial viability to the government effectively allows the state to determine which organisations can survive. For SRHR CSOs, the likely outcome is a significant contraction of civil society’s capacity to deliver services, advocate for SRHR, and contribute meaningfully to policy making processes. Ultimately, these financial restrictions enable the government to consolidate anti-rights control over health and women’s rights policy in Hungary.

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.)

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

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In the Hungary chapter of the Rule of Law Report, we urge the European Commission to:

- Clearly include violations of fundamental rights, including sexual and reproductive rights, resulting from rule of law deficits in Hungary.
- Call on Hungary to publicly recognise the role of CSOs and human rights defenders in upholding SRHR.
- Call on Hungary to repeal all laws and regulations that have a negative impact on CSOs and civil space, including Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life and Act LXXXVIII of 2023 on the Defence of Sovereignty, as well as to refrain from the adoption of the “Transparency of Public Life” Bill.
- Call on Hungary to create an enabling environment for civil society, including human rights organisations and defenders working on gender equality and sexual and reproductive health and rights, in line with the standards set out in Commission Recommendation (EU) 2023/2836 on promoting the engagement and effective participation of citizens and civil society organisations in public policy-making processes, and the newly adopted Civil Society Strategy.

Based on the information provided in this submission, we wish to draw the attention of the European Commission to the importance of maintaining and strengthening the Citizens, Rights and Values funding programme and ensure funding for organisations whose financial situation is most impacted by rule of law deficits in Member States, such as SRHR CSOs.

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

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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