



Freedom in the World 2021 Hungary

PARTLY FREE

69
/100

<u>Political Rights</u>	26 /40
<u>Civil Liberties</u>	43 /60

LAST YEAR'S SCORE & STATUS
70 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

TOP

After taking power in 2010 elections, Prime Minister Viktor Orbán's Alliance of Young Democrats–Hungarian Civic Union (Fidesz) party

pushed through constitutional and legal changes that have allowed it to consolidate control over the country's independent institutions. More recently, the Fidesz-led government has moved to institute policies that hamper the operations of opposition groups, journalists, universities, and nongovernmental organizations (NGOs) who criticize it or whose perspectives it otherwise finds unfavorable.

Key Developments in 2020

- In March, the first COVID-19 cases were reported in Hungary, and by the end of the year over 322,000 people had tested positive for the virus and over 9,500 people had died. The government used the pandemic to justify giving the prime minister power to rule by decree, without parliamentary oversight, for an indefinite amount of time.
- In April, the parliament amended the criminal code to broaden the offense of “scaremongering” to include the intentional spreading of false or distorted information during a state of emergency, punishable with a five-year prison sentence.
- In May, the Court of Justice of the European Union (CJEU) ruled that the use of “transit zones” to hold asylum seekers while processing their claims amounted to unlawful detention and was a violation of European Union (EU) law. The government closed down the transit zones in response, though the new legal framework further restricts access to asylum in Hungary.
- In November, the parliament passed a law that severely restricts same-sex couples’ ability to adopt children, declaring legally that the parents of a child must be a woman and a man.

Political Rights

A. Electoral Process

TOP

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3 / 4

The National Assembly elects both the president and the prime minister, meaning the democratic legitimacy of these votes rests largely on the fairness of parliamentary elections. The president's duties are mainly ceremonial, but they may influence appointments and return legislation for further consideration before signing it into law. The president is limited to a maximum of two terms. János Áder, a founding member of Fidesz, has been president since 2012, having won a second five-year term in 2017.

The prime minister holds most executive power. Orbán has been prime minister since 2010, winning reelection in 2014 and 2018.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

3 / 4

Voters elect representatives every four years to a 199-seat, unicameral National Assembly under a mixed system of proportional and direct representation (106 from single-member districts and 93 from compensatory party lists). The coalition of Fidesz and its junior partner, the Christian Democratic People's Party (KDNP), won the April 2018 parliamentary elections with 49.3 percent of the vote, capturing exactly two-thirds (133) of the seats. The far-right Movement for a Better Hungary (Jobbik) took 26 seats, a coalition led by the center-left Hungarian Socialist Party (MSZP) won 20 seats, and smaller parties and individuals divided the remainder.

An election-monitoring mission performed by the Organization for Security and Co-operation in Europe (OSCE) said the elections were generally well administered, but it noted an "overlap between state and ruling party resources," and added that opaque campaign finance, media bias, and "intimidating and xenophobic rhetoric" hampered voters' ability to make informed choices. While there was no evidence of electoral fraud that could have affected the elections' outcome, some irregularities were reported, and the OSCE found that rigid adherence to formal regulations

TOP

by the National Election Commission (NVB) had in effect limited access to legal remedy.

Fidesz took advantage of access to state resources to promote its candidate in an October 2020 by-election, who ultimately won.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	3 / 4
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Members of the NVB are nominated by the president and confirmed to nine-year terms by the parliament. There is no formal parliamentary debate or public consultation process to inform the selection of current NVB members, and observers have raised concerns about the body's impartiality. The OSCE report on the 2018 election noted the NVB's tendency to favor the ruling party when considering complaints over advertising materials. However, the NVB has on a few occasions ruled against Fidesz; they fined Prime Minister Orbán in 2018 for posting an election campaign video in a kindergarten classroom online without permission from the parents.

Nevertheless, Orbán's government has been largely successful in superseding impartiality requirements. In 2019, the Supreme Court effectively neutralized a long-standing neutrality requirement for state institutions during election campaigns.

The OSCE's 2018 assessment also indicated that citizens were not permitted to participate in election observation at polling places, and that "intimidating rhetoric by the government" discouraged public involvement in election-related activities. Numerous local election commissions operated without an opposition or nonpartisan presence during the 2018 polls.

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After Fidesz took power in 2010, it used its parliamentary supermajority to redraw constituency boundaries in its favor. Electoral bodies frequently reject referendums proposed by the opposition while approving

government proposals of dubious constitutionality, including a controversial 2016 referendum on an EU asylum quota plan.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	3 / 4
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Political parties can organize legally, but they face some practical impediments in their efforts to garner popular support. Changes to party registration and financing systems that took effect ahead of the 2014 parliamentary polls encouraged the registration of new parties, but these reforms were criticized as a means for Fidesz to divide the opposition. Opposition parties are disadvantaged by the politicized distortion of the advertising market, notably including the market for the country's many billboards.

Individual politicians face smear campaigns in progovernment media outlets. Opposition parties faced bogus competitors in the 2014 and 2018 elections that may have been created by the government for the purpose of splitting the opposition vote. Authorities have also interfered with opposition figures' peaceful political activities.

In 2020, the government cut party funding and halved state subsidies for political parties in order to increase funds dedicated to fight the COVID-19 pandemic. These measures disproportionately affected opposition parties. The parliament further amended the electoral framework to require that political parties field candidates in 71 (instead of 27) single-member constituencies on a single list, forcing small opposition parties to combine and field one consolidated list of candidates.

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B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

2 / 4

Fidesz has dominated the political landscape since the 2010 election. The opposition remains fragmented, and opposition parties increasingly contend with obstacles and restrictions that detract from their ability to gain power through elections. These include unequal access to media, smear campaigns, politicized audits, and a campaign environment skewed by the ruling coalition's mobilization of state resources.

While the 2018 parliamentary polls were generally well administered, the proliferation of obstacles faced by opposition parties and candidates diminished their ability to freely compete with Fidesz. The OSCE cited the "pervasive overlap between state and ruling party resources," which often made extensive government advertising campaigns indistinguishable from Fidesz promotional materials. The ruling party also harnessed Hungary's public broadcaster to disseminate its message, with the OSCE's media monitoring mission describing "clear patterns of political bias" in its election-related programming. Finally, the national government maintains effective control of the State Audit Office (ÁSZ), which monitors campaign activities and party spending. In recent years, ÁSZ has imposed sanctions only on opposition parties for financial irregularities, while condoning or overlooking problematic spending of state subsidies by the ruling party.

Nevertheless, Fidesz lost control of several cities, including the capital of Budapest, in 2019 local elections. Gergely Karácsony, the winner of Budapest's mayoral election, commanded over 50 percent of the vote; opposition politicians also wrested control of Budapest's local council.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

TOP
3 / 4

Individuals are largely able to participate in public affairs without encountering undue influence over their political choices. However, Fidesz has increasingly harnessed its members' political and economic power to sideline opposition groups and prevent them from presenting a meaningful challenge to its dominant position. The 2018 OSCE report found that Roma and other economically marginalized groups were vulnerable to pressure to vote for the ruling parties because of “the fear of losing access to the limited public works funds.”

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	3 / 4
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Women are underrepresented in political life, and the share of women in the parliament remains low. Only 25 of 199 National Assembly members, or 13 percent, and only 3 out of 14 cabinet ministers are women. Ruling party ministers and progovernment media occasionally make derogatory and sexist remarks toward women in the parliament.

Hungary's constitution guarantees the right of ethnic minority populations to form self-governing bodies, and all 13 recognized minorities have done so. Minorities can also register to vote for special minority lists—with a preferential vote threshold—in parliamentary elections. Most ethnic minority groups, given their small size degree to which they have assimilated into Hungarian society, are unable win a preferential mandate. Minorities without a parliamentary mandate can send a “national minority advocate” to the parliament without voting rights. Only one of the 13 recognized minorities managed to elect a representative with voting rights to the National Assembly in 2018. A former Fidesz politician, who suspended their party membership, won a seat to represent the German minority that year.

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Roma have long been underrepresented in politics and government and have been the target of derogatory rhetoric from Fidesz members in recent years. Voter turnout is low among Roma, even though the number

of registered Romany voters increased from 2014 to 2018. The 2018 OSCE election report found that Roma are increasingly exposed to pressures like intimidation and vote-buying.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

2 / 4

The governing coalition is effectively able to draft and implement laws and policies without undue interference. Fidesz continues to dominate governance through a parliamentary supermajority that it acquired in problematic elections. Prime Minister Orbán, the party's leader, exerts considerable influence over the legislature. The ability of the opposition to check government activities remains limited.

December 2019 amendments to rules governing the National Assembly further weakened legislators' ability to exercise their influence. Parliamentarians lost the ability to cross the political aisle and were prohibited from entering state institutions without prior notification or permission. Lawmakers have also had their behavior in the National Assembly restricted in other ways after Fidesz won its third term, with the speaker disciplining and fining lawmakers for occupying the lectern and bringing signs onto the floor. A September 2020 temporary resolution further restricted independent ministers' ability to introduce legislation, requiring draft laws to be supported by the leader of a party.

In March 2020, in response to the COVID-19 pandemic, the government declared a "state of danger" and passed the widely denounced Authorization Act, conferring sweeping emergency powers to the executive. The legislation enables the prime minister to rule by decree for an indefinite time without parliamentary approval, and to suspend or depart from any law or take any extraordinary measure. In June, the state of danger was replaced by a state of medical emergency, regulated by the Health Care Act, which was also amended to extend the power of the

executive to rule by decree with neither meaningful parliamentary oversight nor a set end date.

The National Assembly adopted the Ninth Amendment of the Fundamental Law in December 2020, which rewrote the rules for special legal orders. The new legal regime, which will enter into force in 2023, significantly extends the powers of the executive.

Score Change: The score declined from 3 to 2 because a series of legal and rule changes in recent years, including 2020 emergency legislation, expanded the prime minister's ability to rule by decree, further reducing the parliament's capacity to meaningfully check executive power.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	2 / 4
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Corruption remains a problem in Hungary, and instances of high-level government corruption have not been properly investigated. Prosecutors have also been reluctant to investigate long-standing allegations of the public misuse of development funds disbursed by the EU, despite the severity of the problem. Fidesz has also established broad control over auditing and investigative bodies, including the ÁSZ.

The 2020 annual report of the European Anti-Fraud Office (OLAF) warned that Hungary was the worst-performing EU member state regarding the misappropriation of EU funds, and nearly 4 percent of EU-provided funds were misused during its 2015–19 reporting period.

The latest report of the Group of States against Corruption (GRECO) held that Hungary performed poorly in complying with its recommendations on implementing anticorruption measures in relation to ministers, judges, and prosecutors. Transparency International's Hungarian chapter has warned that a number of companies with close ties to the government are **TOP** supported primarily by public funds.

C3 0-4 pts

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Does the government operate with openness and transparency?**2 / 4**

Hungary's Freedom of Information Act contains numerous exemptions, permits agencies to charge fees for the release of information, and is inconsistently enforced. In many cases, information is only made available as a result of litigation. In November 2020, the parliament amended the Fundamental Law's definition of what constitutes public funds. The new, narrow definition can render public oversight of a large amount of public money impossible.

In March 2020, the parliament classified the plans for the Budapest-Belgrade railway project, 85 percent of which is financed by Chinese loans.

Major legislation is frequently rushed through the parliament, leaving citizens and interest groups little time to provide feedback or criticism. Important proposals are hidden in long omnibus bills, and the government tends to submit substantial bills overnight. Journalists, meanwhile, have been curtailed from performing their duties while covering events in the parliament, with the speaker prohibiting audio and video recording in corridors surrounding the plenary chamber, entrances, and on-site cafeterias in October 2019.

When emergency laws were introduced in April 2020 because of the COVID-19 pandemic, the government significantly extended the deadline for fulfilling freedom of information requests. Critics denounced the extension as unconstitutional and a hindrance to effectively coping with the crisis. Important epidemiological data was not accessible to the public, and pandemic-related government measures that seriously constrained individual rights were often published just a few hours or minutes before they entered into force.

Civil Liberties

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D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	2 / 4
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The constitution protects freedom of the press, but Fidesz has undermined this guarantee through legislation that has politicized media regulation. While private, opposition-aligned media outlets exist, national, regional, and local media are increasingly dominated by progovernment outlets, which are frequently used to smear political opponents and highlight false accusations. Government advertising and sponsorships favor progovernment outlets, leaving independent and critical outlets in a financially precarious position.

Members of Prime Minister Orbán's governing coalition and their allies have worked to close or acquire critical media outlets since 2015, when news outlet Origo was taken over by progovernment investors. The 2016 closure of Hungary's largest independent daily, *Népszabadság*, represented a particularly serious blow to media diversity. In late 2018, around 470 progovernment media outlets were merged under the Central European Press and Media Foundation (KESMA). The government declared the merger to be of "national strategic importance" to exempt it from competition laws, and won the court case that challenged the move.

In March 2020, a businessman close to Fidesz bought 50 percent of the Indamedia Group, a partner of *Index*, the country's largest independent news outlet. In June, the editor in chief of *Index* was dismissed for voicing his concerns about the outlet's independence. Almost the entire staff subsequently resigned, and *Index* resumed operating with a completely new editorial team.

The April changes to the "scaremongering" law, ostensibly to fight false or distorted information about COVID-19, ultimately challenged journalists'

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ability to secure reliable sources to report on the crisis, as many individuals, especially health care workers, feared retaliation if they provided information publicly.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

3 / 4

The constitution guarantees religious freedom and provides for the separation of church and state, though these guarantees were weakened in the 2011 version of the constitution, whose preamble makes direct references to Christianity. Constitutional amendments enacted in 2018 and 2020 reinforced those references, obliging all state organs to protect “Christian culture” and guaranteeing children’s right to education based on Christian values.

The government has led xenophobic campaigns in recent years, fueling anti-Muslim sentiment, and sought to establish links between the spread of the pandemic and illegal migration in 2020.

After the adoption of a 2011 law on churches, some 300 religious communities lost their status as incorporated churches and were relegated to the new category of “religious organizations.” When that law was later found in violation of the European Convention on Human Rights, the government adopted a new law in 2018 to fulfill the same goals. That legislation created a four-tier recognition scheme, leaving the parliament to determine where organizations would fall in the new system. The law does not rectify the earlier deregistration of churches.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

2 / 4

TOP

The Fidesz-led government has maintained its efforts to bring schools and universities under close supervision. A gradual overhaul of the public education system raised concerns about excessive government influence

on school curriculums, and legislation adopted in 2014 allows for government-appointed chancellors empowered to make financial decisions at public universities. The government has increasingly threatened the academic autonomy of well-established institutions, pulling support, interfering in their affairs, and landing progovernment supporters in leading positions. In 2018, the government revoked accreditation from all gender studies programs, with senior officials questioning the rationale for this field of academic study.

Progovernment media outlets commonly target activists, academics, programs, and institutions, often by calling them “Soros agents,” referring to Hungarian-born financier and philanthropist George Soros, or “mercenaries.” Legal changes enacted by the parliament in 2017 targeted the Central European University (CEU), a graduate school founded by Soros, by changing the requirements for foreign universities to operate in Hungary. The CJEU later ruled the 2017 changes were incompatible with EU law.

The Fidesz government also targeted the Hungarian Academy of Sciences (MTA) and stripped the 200-year-old MTA of its network of research institutions in 2019, handing them over to a new governing body. The controversy later abated when the government agreed that the MTA would maintain much of its funding and operational autonomy. However, in 2020, the MTA elected a new president, well-known for his support of the Fidesz government.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	3 / 4
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While freedom of expression is constitutionally protected, ongoing efforts to sideline voices and perspectives that authorities find unfavorable, **TOP** including many found at the Hungarian Academy of Sciences, CEU, NGOs, and media outlets, have discouraged open criticism of the government and other politically sensitive speech.

In April 2020, at the onset of the COVID-19 pandemic, the parliament broadened the criminal code’s definition of “scaremongering” to include the intentional spreading of false or distorted information during a state of emergency, and extended the maximum prison sentence to five years. More than 130 criminal proceedings were initiated on account of the new crime by June. Some individuals were arrested and interrogated for being critical of government measures on social media.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	4 / 4
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The constitution provides for freedom of assembly, and the government generally respects this right in practice. Fidesz’s electoral victory in 2018 prompted large crowds to turn out for peaceful antigovernment demonstrations.

In April 2020, a total ban on public gatherings was introduced, though some demonstrations were organized. The police imposed heavy fines on the participants of car demonstrations (“honking protests”), organized by two opposition ministers.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	2 / 4
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NGOs whose activities conflict with government priorities have come **TOP** under continued pressure. Since taking power, Fidesz has instituted burdensome registration and reporting requirements for NGOs, and police illegally raided the offices of one group, the Ökotárs Foundation, in 2015.

NGOs assisting asylum seekers have also been subject to Hungary's "Stop Soros" laws in 2018, which heavily restricted the right to asylum and criminalized activities supporting asylum seekers. An infringement procedure based on the "Stop Soros" legislation is currently pending before the CJEU.

The government continues to stigmatize NGOs as "foreign agents" or "Soros agents", and frequently scapegoat them for developments unfavorable to the government or deemed unpopular in the eyes of the public.

In June 2020, the CJEU found that the 2017 Act on the Transparency of Organizations, requiring organizations that receive donations from abroad to register as such, was not compatible with EU jurisprudence. So far, the government has failed to execute the judgment, the relevant law is still in force.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4 / 4
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Workers' rights to form associations and bargain collectively are generally recognized, but the 2012 Labor Code weakened the position of trade unions by curtailing their rights. There are significant limitations on what can be considered a lawful strike, and union membership is low. Trade unions are present in less than 25 percent of workplaces, and only 7 percent of workers belong to one.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	2 / 4 TOP
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Judicial independence remains a matter of concern. All of the 11 judges appointed to the Constitutional Court between 2010 and 2014 were named by the Fidesz government. Only when Fidesz temporarily lost its supermajority was it willing to include a small opposition party into the nomination process for four judges, which took place in 2016. Rulings in recent years on politically sensitive cases have favored government interests. High-ranking government officials and progovernment media berate judgments that are detrimental to the interests of the government.

The government has also interfered with the administration of the judicial branch in recent years. Significant powers are vested in the president of National Judicial Office (NJO), a position occupied by Tünde Handó from 2012 to 2020. The powers of the judicial self-governing body, the National Judicial Council (NJC), which supervises the president of the NJO, are relatively weak. Handó has been regarded as an ally of the Fidesz government in curtailing judicial independence and has come into conflict with the NJC many times. Handó was appointed to the Constitutional Court in 2020, and was replaced by György Barna Senyei, another Fidesz ally.

The parliament sought to create a new administrative court system in 2018, which would have given the Minister of Justice broad powers to appoint and promote judges. Instead, in late December 2019, the government passed an omnibus bill effectively resurrecting the administrative court circuit. The legislation also restricted judicial interpretation of existing case law and allowed members of the Constitutional Court to assume a seat on the Supreme Court without nomination. In October 2020, Constitutional Court justice András Varga, who had written several decisions favorable to the government, was elected president of the Supreme Court, despite the NJC's overwhelming opposition. In addition, administrative authorities were also given the chance to challenge unfavorable rulings directly before the Constitutional Court.

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F2 0-4 pts

Does due process prevail in civil and criminal matters?	3 / 4
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Due process rights are enshrined in the constitution and are generally respected. However, the former head of the NJO, Tünde Handó, was criticized for using her authority to transfer certain cases to courts of her choice. Litigation costs are relatively high, while access to legal aid is limited. There have been concerns about the quality of lawyers appointed for defendants who are unable or unwilling to retain legal counsel on their own.

Hungarian courts have also shown continued resistance to European judicial oversight on due process matters in 2019. That September, Hungary's Supreme Court sided with Prosecutor General Péter Polt in his efforts to limit the European Court of Justice's (ECJ) oversight over an ongoing case, which began when a lower-level judge suspended a criminal trial and sought the ECJ's opinion on its compliance with EU regulations. Polt argued that the judge's request itself was unlawful.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

3 / 4

Inadequate medical care and poor sanitation in the country's prisons and detention centers remain problems. The coronavirus presented further challenges to the safety of prisoners and prison staff. In 2020, the government created new facilities that added significantly more space in prisons and detention centers, bringing prison capacities under 100 percent.

Physical abuse by police is a problem, and there are systematic deficiencies in reporting, indicting, investigating and sanctioning such conduct.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

TOP
2 / 4

The rights of refugees and asylum seekers are routinely violated in Hungary, where frequent changes to asylum policy—including the uncontested declaration, by law, of Serbia as a safe third country—and the construction of barriers along the country's southern border made it nearly impossible for individuals to apply for asylum and receive protection. Since 2018, only two asylum seekers are formally permitted to enter the country per day. Once allowed in, asylum seekers were frequently detained in poorly equipped transit zones, and few were recognized by Hungarian authorities as refugees. In May 2020, the CJEU ruled that Hungarian asylum procedures were incompatible with EU law, and placing asylum seekers in the transit zones constituted unlawful detention. The government subsequently closed the transit zones, but passed legislation requiring asylum seekers to present their documentation at diplomatic missions in other countries.

European courts have heavily criticized Hungarian asylum and immigration policy, ruling that the policies and actions were incompatible with EU law and at times amounted to human rights violations. Despite this, the government has maintained its stance; it continues to train special police units with wide powers to remove migrants from the country.

Roma are Hungary's largest ethnic minority and face widespread discrimination, societal exclusion, violence, and poverty. Roma students continue to be segregated or improperly placed in schools for children with mental disabilities, a practice that led the European Commission (EC) to begin an infringement procedure in 2016. In early 2020, Prime Minister Orbán launched an anti-Roma campaign in response to a court awarding pecuniary damages to Roma pupils for school segregation in the town of Gyöngyöspata. The parliament amended public education laws to prevent courts from awarding pecuniary damages for similar future claims. Roma were disproportionately impacted by the COVID-19 pandemic in 2020, and the government failed to address the health, economic, and social needs of Romany communities.

Women in Hungary are subject to employment discrimination and tend to be underrepresented in high-level business positions.

The Fidesz government has proven to be increasingly discriminatory towards LGBT+ people. In May 2020, the parliament voted to end the legal recognition of gender identity, requiring “sex at birth” to be used on identification documents. In November, it passed a law that severely restricts same-sex couples’ ability to adopt children, declaring in law the parents of a child to be a woman and a man. Senior Fidesz politicians have made homophobic statements in public; Prime Minister Orbán compared same-sex relationships to pedophilia in a radio interview in October 2020.

Antisemitism persists in Hungary, and anti-Soros campaigns pander to individuals with those sentiments.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4 / 4

There are no significant restrictions on Hungarians’ freedom of travel or the ability to change their place of residence or employment. However, a July 2019 law restricts the ability of students and parents to avoid the centralized school system and limits their access to alternative schools.

Movement restrictions and curfews related to the COVID-19 pandemic were instituted based on epidemiological data.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

3 / 4

Individuals have the right to own property and establish private businesses. However, the success of a business is somewhat dependent upon its owner's government connections. Businesspeople whose activities are not in line with the financial or political interest of the government are likely to face harassment and intimidation, and subject to increasing administrative pressure for a possible takeover.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3 / 4

The constitution enshrines the concept of marriage as a union between a man and a woman. LGBT+ Hungarians are allowed to pursue civil unions, but they remain prohibited from adopting children.

In 2020, the National Assembly ended the legal recognition of gender identity for transgender people. As a result of the Ninth Amendment of the Fundamental Law, the constitution now stipulates that “the mother is a woman, the father is a man”, and “Hungary protects the right of children to self-identify in line with their birth sex.” Furthermore, the new law effectively limits the right to adoption only to married couples, excluding single people and non-married partners—among them same-sex couples—from this right. Human rights NGOs condemned the amendments for stigmatizing and discriminating against LGBT+ people.

Domestic violence and spousal rape are illegal, but the definition of rape hinges on the use of force or coercion, not on lack of consent. NGOs describe government responses to violence against women as inadequate. In May 2020, the parliament rejected the ratification of the Istanbul Convention over what parliamentarians considered to be the destructive nature of the convention's gender ideology and the document's preferential treatment for asylum seekers on the basis of gender. **TOP**

The right to life from conception is constitutionally protected, but access to abortion is today largely unrestricted.

G4 0-4 pts**Do individuals enjoy equality of opportunity and freedom from economic exploitation?****3** / 4

Hungary is a transit point, source, and to a lesser extent, destination for trafficked persons, including women trafficked for prostitution. Prevention, coordination efforts, and processes to identify and support victims remain inadequate, while trafficking investigations and enforcement of relevant laws are unreliable. In 2020, the government adopted a National Strategy against Human Trafficking for 2020–23, which included harsher sanctions for traffickers. The parliament also amended the relevant laws primarily to protect children against sexual exploitation.

A 2018 labor code amendment significantly raised the maximum hours of overtime employers are allowed to ask for per year. Changes in 2020, made during the state of emergency caused by the coronavirus, extended the length of time over which cumulative overtime hours would be counted.

**On Hungary**

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Country Facts

Global Freedom Score

69/100 Partly Free**TOP**

Internet Freedom Score

71/100 Free

Other Years

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