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Freedom House

Freedom in the World 2020 - Hungary

PARTLY FREE

70 / 100

Political Rights (<https://freedomhouse.org/country/hungary/freedom-world/2020#PR>) 27 / 40

Civil Liberties (<https://freedomhouse.org/country/hungary/freedom-world/2020#CL>) 43 / 60

LAST YEAR'S SCORE & STATUS

70 / 100 Partly Free

Global freedom statuses are calculated on a weighted scale. See the methodology. (<https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology>)

Overview

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) whose perspectives it finds unfavorable.

Key Developments in 2019

- Fidesz maintained control of many regions of Hungary during local elections in October. However, opposition candidates fared better in cities, notably winning the mayoralty and city council of the capital, Budapest. Fidesz also posted a strong performance in May's elections to the European Parliament (EP), winning nearly 53 percent of the votes against a dispersed opposition.
- Hungary's government maintained harsh policies toward migrants and asylum seekers, as its impasse with European institutions over its migrant policy continued. In May, activists warned that Hungarian authorities were denying food to asylum seekers detained in transit zones. The European Commission (EC) opened a new legal probe against Hungary in response.

- Opposition parliamentarians and journalists lost much of their ability to oppose and criticize the government. A law granting politicians the right to enter the offices of public buildings was repealed, and they now require prior notification or permission. Journalists saw their physical access to much of the National Assembly stripped by its speaker.

Political Rights

A Electoral Process

A1 0-4 pts

**Was the current head of government or other chief national authority 3 /
elected through free and fair elections? 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 he or she 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. 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 3 /
and fair elections? 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 by the National Election Commission (NVB) had in effect limited access to legal remedy.

A3 0-4 pts

**Are the electoral laws and framework fair, and are they implemented 3 /
impartially by the relevant election management bodies? 4**

Members of the NVB are nominated by the president and confirmed to nine-year terms by 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 government was not totally immune to NVB oversight; in March 2018, it fined Prime Minister Orbán for posting an election campaign video in a kindergarten classroom online without securing the approval of 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. That case was heard after Prime Minister Orbán threatened government funding for the city of Budapest if its Fidesz mayor was not reelected that October.

The OSCE, in its 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. This resulted in numerous local election commissions operating without an opposition or nonpartisan presence during the 2018 polls.

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 a European Union (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?

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. In December 2017, electoral authorities targeted Jobbik, the largest opposition party in the National Assembly, over an accusation of illicit fundraising, fining it over €2 million (\$2.1 million). Béla Kovács, a prominent Jobbik Member of the European Parliament, was also

accused of espionage that month. Though Jobbik ultimately competed in the 2018 general election, it warned that it may boycott that election upon the announcement of the fine.

Opposition parties faced bogus competitors in the 2014 and 2018 elections, with Transparency International warning that at least 12 groups were created to take advantage of public funding schemes in the 2018 election. Some of these groups relied on petition signatures borrowed from Fidesz candidates to enter the ballot, suggesting the government's involvement in splitting the opposition vote through this tactic.

Authorities have interfered with peaceful political activities by opposition figures, as well. During opposition-led rallies held in Budapest in December 2018, lawmakers invoked their legal right to access public buildings in order to enter the headquarters of the country's public broadcaster, but security agents forcibly removed two of the lawmakers. This legal right was subsequently revoked in 2019.

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; rulings made by the ÁSZ, which is led by a former member of Fidesz, are final, leaving opposition parties with little recourse.

The 2019 election campaign saw a marked rise in the use of recorded sexual encounters featuring politicians that were released without their consent. In early October, a sex tape featuring Tamás Wittinghoff, an opposition politician and mayor of the town of Budaörs, was revealed when flyers featuring a URL to the video were distributed in the town. Wittinghoff claimed the video had been recorded after Fidesz lost a race in the town four years before, and said he was the victim of blackmail. A sex tape featuring Zsolt Borkai, the Fidesz mayor of Győr, was also revealed to the public in October, and Borkai was forced to resign from the party and the mayoralty despite winning reelection.

In August, progovernment television station TV2 also highlighted sexual harassment claims against former opposition politician László Donáth, who has since become the pastor and director of a nursing home. The television station interviewed a man who overheard details of Donáth's alleged attack on a female employee in an elevator, but a subsequent police investigation revealed no new information. Donáth denied the accusations. That same month, a progovernment newspaper reported on a charge of sexual harassment against his daughter, Anna Donáth, who had won a seat in the EP as an opposition candidate in May. The newspaper reported that Donáth harassed a young girl while they both attended a music festival; Donáth denied the accusation.

The local elections were nevertheless a highlight for opposition politicians; Fidesz lost control of several cities, including the capital of Budapest. 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? 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.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in political life, and the share of women in the parliament remains low. Only 24 of 199 National Assembly members, or 12 percent, are women. Women are also poorly represented in cabinet; after winning the 2018 election, Prime Minister Orbán named only one woman as a minister; Andrea Bartfai-Mager has no official portfolio.

Hungary's constitution guarantees the right of ethnic minorities 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. Only one of the 13 recognized minorities managed to elect a representative with voting rights in the National Assembly in 2018. An ex-Fidesz politician who suspended their party membership won a seat to represent the German minority that year.

The Romany minority has long been underrepresented in politics and government, and the community has been actively targeted by members of Fidesz in recent years; party co-founder Zsolt Bayer called Romany Hungarians "unfit" in public comments made in 2013.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative 3 / representatives determine the policies of the government? 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.

Amendments to the rules governing the National Assembly adopted in December 2019, 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. Legislators who entered the headquarters of Hungary's public television broadcaster during a protest in December 2018, before the law came to effect, were still targeted by the authorities, with prosecutors opening an investigation into their behavior in January 2019.

Lawmakers have also had their behavior in the National Assembly restricted in other ways after Fidesz won its third term, with the speaker disciplining lawmakers for occupying the lectern and bringing signs onto the floor. Before this, opposition politicians had occupied the lectern to criticize a law that weakened overtime protections for workers in 2018. In October 2019, another opposition politician used signs to interrupt Prime Minister Orbán during a speech.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 2 / 4

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; in September 2019, the European Anti-Fraud Office (OLAF) warned that Hungary was the worst-performing member state regarding the misappropriation of EU funds. OLAF reported that nearly 4 percent of EU-provided funds were misused and should have been returned during its 2014–18 reporting period.

Transparency International's Hungarian chapter has reported that a number of companies with close ties to the government are supported primarily by public funds. By contrast, business figures who fell out of favor with the government, like former Fidesz party treasurer Lajos Simicska, have been subjected to financial and legal pressure. Two of Simicska's media outlets, daily newspaper *Magyar Nemzet* and Lánchíd Rádió, closed after losing government advertising revenue.

Fidesz has also used legal and personnel changes to establish broad control over auditing and investigative bodies, including the ÁSZ.

C3 0-4 pts

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.

The government has also resisted transparency in its treatment of asylum seekers; journalist Illés Szurovecz was rebuffed from visiting three immigration centers between 2015 and 2016, though a politician traveling with him was allowed to enter a facility. In September 2019, the ECHR found that Hungary had violated Szurovecz's right to seek domestic redress for his request, after the plaintiff had been denied judicial review in Hungary.

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

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 2 / 4

The constitution protects freedom of the press, but complex and extensive media legislation enacted by Fidesz has created avenues for politicized media regulation, undermining this guarantee. 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 sold to investors allied with the government. The 2016 closure of Hungary's largest independent daily, *Népszabadság*, represented a particularly serious blow to media diversity. After Fidesz won its third term in 2018, several outlets owned by Simicska, a former Fidesz party treasurer who fell out with the prime minister, were closed, including the 80-year-old daily newspaper *Magyar Nemzet*, weekly *Heti Válasz*, and Lánchíd Rádió. *Magyar Nemzet* and Lánchíd Rádió suffered financial losses after losing state advertising revenue. HírTV, which Simicska sold off in 2018, saw a subsequent shift in its editorial line under its new owners.

In September 2018, businessman Zoltan Speder sold his holdings in cemp-X Online Zrt, which indirectly controls Index.hu, a major independent news website. Speder had previously fallen out with Prime Minister Orbán, while cemp-X's new owners are closely allied to Fidesz. In the years before this acquisition, Index.hu saw access to public information and to government officials curtailed by the Fidesz government.

Pressure on independent news outlets grew when owners of the majority of progovernment outlets, including HírTV and Origo, donated their companies to a new governing body, the Central European Press and Media Foundation (KESMA), in late 2018. Though these outlets had a combined value of as much as \$100 million, the erstwhile owners surrendered their news agencies to KESMA for free.

D2 0-4 pts

**Are individuals free to practice and express their religious faith or nonbelief 3 /
in public and private? 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 reinforced those references, making it the obligation of all state organs to protect "Christian culture."

Government-led xenophobic campaigns in recent years have fueled anti-Muslim sentiment. In 2016, the Pew Research Center reported that 72 percent of Hungarians viewed Muslims as unfavorable, a far higher figure than in the EU as a whole.

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 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 2 /
extensive political indoctrination? 4**

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. Selective support by the government of certain academic institutions also threatens academic autonomy. 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." These efforts are commonly aimed at gender studies programs, researchers studying inequality, and academics who have voiced criticism of the government, leading to self-censorship in Hungarian academia.

The government has more recently focused its attention on Central European University (CEU), a graduate school founded by George Soros after the collapse of the Soviet Union. In October 2018, the Hungarian government declined to sign an agreement that

would allow the institution, which maintained accreditation in Hungary and the United States, to continue its operations. CEU responded by announcing its closure of US-accredited activities in Hungary that December, though some activities will continue on its Budapest campus until 2022. That decision took effect in September 2019, and CEU's campus in the Austrian capital of Vienna opened to students.

The Fidesz government then targeted the Hungarian Academy of Sciences (MTA), which previously had its autonomy protected in the constitution. The government announced plans to strip the 200-year-old Academy of its network of research institutions in May 2019, handing them over to a new governing body. The Academy vehemently objected to the move, claiming the government wanted "total political control" of vital research in a public statement. Thousands of protesters assembled in early June to object to the government's move, but the National Assembly adopted the proposal in a July vote. MTA president László Lovász submitted a complaint to the Constitutional Court in September, just as the legislation was to take effect. The controversy abated later that month, when the government negotiated an agreement with the Academy that protected much of its funding and operational autonomy.

D4 0-4 pts

Are individuals free to express their personal views on political or other 3 / sensitive topics without fear of surveillance or retribution? 4

While freedom of expression is constitutionally protected, ongoing efforts to sideline voices and perspectives that authorities find unfavorable, 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.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 4 / 4

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.

However, the government has also endeavored to limit the freedom of assembly with new legislation. In October 2018, the government enacted legislation giving police forces more latitude to disperse public protests. That November, the government attempted to ban protests in public squares from taking place at all during national holidays, though the attempt was withdrawn later that month.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that 2 / are engaged in human rights- and governance-related work? 4

NGOs whose activities conflict with government priorities have come 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, which heavily restricted the right to asylum in 2018. The "Stop Soros" laws survived domestic judicial review when the Constitutional Court upheld it in February 2019, but they have been heavily criticized by the UN and European bodies. The Office of the UN High Commissioner for Human Rights (OHCHR) condemned the law as "shameful and blatantly xenophobic." The Council of Europe's Venice Commission, a constitutional consultative body, concluded that the new law "infringes upon the right to freedom of association and expression and should be repealed." The EC separately warned that the measure violated EU law.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 4 / 4

The government recognizes workers' rights to form associations and bargain collectively. However, there are limitations on what can be considered a lawful strike, and union membership is low. Trade unions are present in less than 30 percent of workplaces, and only 8 percent of workers belong to one.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 2 / 4

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 an opposition party into the nomination process for four judges, which took place in 2016. Rulings in recent years have favored government interests.

The administration of the judicial branch has also been subject to government interference and controversy in recent years; Tünde Handó, president of the National Judicial Office (NJO) since 2012, has been regarded as an ally of the Fidesz government in curtailing judicial independence. During her tenure, Handó has also been in conflict with the National Judicial Council (NJC), the body ultimately responsible for self-governance within the judiciary, with Handó calling the NJC's activities unlawful in 2018. While the NJC is considered the supreme administrative body for the judicial branch, Handó was alleged to have disregarded its instructions on several occasions, and ignored her responsibility to consult the NJC on the NJO's budget proposals in 2018 and 2019. Their conflict was scheduled to reach the Constitutional Court in 2019, but Handó was herself named a nominee to an empty seat on that bench in late October.

Parliament sought to create a new administrative court system in 2018, which would have given the Ministry of Justice broad powers to appoint and promote judges; that move garnered the opposition of the EP, which triggered an investigation under Article 7 of the EU's Lisbon Treaty in response. Parliament postponed the reforms in June 2019, but an omnibus bill speedily passed in late December effectively resurrected 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, the ultimate judicial arbiter of cases not directly involving the constitution, without nomination. In addition, administrative authorities were also given the chance to challenge unfavorable rulings directly before the Constitutional Court.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 3 / 4

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. 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

Overcrowding, inadequate medical care, and poor sanitation in the country's prisons and detention centers remain problems. In 2017, the government revoked its cooperation agreement with the Hungarian Helsinki Committee, a human rights organization, effectively terminating the group's access to detention facilities.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The rights of refugees and asylum seekers are routinely violated in Hungary, where 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 have made it nearly impossible for individuals to apply for asylum and receive protection. Only two asylum seekers are formally permitted to enter the country per day. Once allowed in, asylum seekers are frequently detained in poorly equipped transit zones, and few are recognized by Hungarian authorities as refugees.

European courts have heavily criticized Hungarian asylum and immigration policy throughout 2019. In July, the ECJ ruled that a law denying domestic courts the right to review asylum decisions was incompatible with EU jurisprudence. That same month, the EC opened an infringement procedure in response to the denial of food to asylum seekers held in custody. In November, the ECHR ruled that the removal of asylum seekers to Serbia amounted to a human rights violation. Despite this, the government has maintained its stance; it continues to train special police units ("border hunters") with wide powers to remove migrants from the country, and has prolonged a state of emergency in order to execute its migration policy.

Members of the Romany population, Hungary's largest ethnic minority, 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 EC to begin an infringement procedure in 2016. In 2017, the EC reported improvements in Romany access to Hungary's education system, but also warned that segregation remained common in the classroom. The body also reported a growing proportion of young Roma who were not in education, employment, or training in 2017 report.

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

Hungary has become less welcoming of LGBT+ rights under Fidesz. In a 2019 Eurostat survey, 55 percent of Hungarians voiced opposition to LGBT+ rights overall. Hungarians also voiced strong opposition to same-sex marriage in the survey, and opposed transgender residents gaining the ability to change identity documents in line with their gender identities. Senior Fidesz politicians have made homophobic statements in public; parliament speaker László Kövér compared same-sex relationships to pedophilia when discussing his opposition to same-sex adoptions in May 2019.

As the year closed, Hatter (Background), an advocacy group for LGBT+ rights, warned that legislative restrictions, a lack of support from law enforcement, and hostile comments from Fidesz politicians threatened to close the historically open environment for LGBT+ people in Hungary.

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.

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 recent difficulties of business owners who have fallen out of favor with the government illustrate the extent to which success depends on government connections.

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 government generally does not restrict social freedoms, though 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.

Hungarian women have recently been encouraged to expand the size of their families, with Prime Minister Orbán proposing a package of income tax breaks and preferential mortgage terms for women who bear at least four children. Orbán directly linked his proposal to his anti-Muslim and nativist outlook when he announced the proposal in February 2019, placing pressure on Hungarian women to address the country's demographic decline.

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. The right to life from conception is constitutionally protected, but access to abortion remained largely unrestricted in 2019.

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.

ecoi.net summary:

Annual report on political rights and civil liberties in 2019



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