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Freedom in the World 2023 - Hungary

PARTLY FREE

66

/ 100

Political Rights 24 / 40

Civil Liberties 42 / 60

LAST YEAR'S SCORE & STATUS

69 / 100 Partly Free

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

Overview

Since taking power in the 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, including the judiciary. The Fidesz government has since passed antimigrant and anti-LGBT+ policies, as well as laws that hamper the operations of opposition groups, journalists, universities, and nongovernmental organizations (NGOs) that are critical of the ruling party or whose perspectives Fidesz otherwise finds unfavorable.

Key Developments in 2022

- The coalition of Fidesz and the Christian Democratic People's Party (KDNP) won the April parliamentary elections with 54.13 percent of the vote, securing a fourth consecutive term and a two-thirds parliamentary majority with 135 seats. Election observer missions noted the polls were severely marred by misuse of government resources, an unlevel playing field for opposition parties, and extensive electoral reforms that favored the ruling party.
- In January, teachers' unions organized strikes across the country demanding higher salaries and lightened workloads. The government in February responded by curtailing the right to strike through COVID-19-related emergency powers. The restrictions, entrenched into ordinary legislation in May, made the right to strike in schools only nominal.

- In May, the government amended the law that defines the necessary conditions to declare a state of emergency or danger to include “armed conflict, war, or humanitarian catastrophe” in a neighboring country. Authorities subsequently declared a state of danger in November, referencing the Russia-Ukraine war, extending the executive’s emergency powers.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 2 / 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.

The April 2022 parliamentary elections were deemed severely flawed by observer missions, which noted that the rules were administered to advantage the Fidesz-KDNP ruling coalition. Fidesz elected Katalin Novák, a former minister and parliamentarian, as the first woman to be president of Hungary.

The prime minister holds most executive power. Viktor Orbán has been prime minister since 2010, winning reelection for a third time in the flawed 2022 elections.

Score Change: The score declined from 3 to 2 because parliamentary elections were administered under rules that disproportionately advantaged the ruling party, negatively affecting the freeness and fairness of the election of the prime minister and president.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 2 / 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 Fidesz-KDNP coalition won the April 2022 parliamentary elections with 54.13 percent of the vote, securing a fourth consecutive term and a two-thirds majority with 135 seats. The coalition of opposition parties, United for Hungary, took 57 seats, and the far-right Our Homeland (Mi Hazánk) won 6 seats.

An election observation mission performed by the Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) found that the elections were well organized and professionally managed, but they failed to provide a level playing field and equality of opportunities among candidates. Significant media bias towards ruling parties and the misuse of state resources hindered voters’ ability to make informed choices. Public media allowed only five minutes for the opposition coalition, formed by six parties, to present its program. The OSCE/ODIHR report emphasized the lack of effective legal remedy against irregularities and possible electoral fraud, as electoral authorities ruled mostly in favor of the Fidesz-KDNP, and noted several legal changes passed in recent years that may have impacted the election’s outcome. For example, November 2021 electoral reforms enabled voters to register in districts they do not live, paving the

way for possible voter tourism. Electoral authorities denied investigation into partially burned ballots found in Romania by referring to their lack of extraterritorial jurisdiction.

Human Rights Watch (HRW) found that the government misused personal data in several ways to disseminate Fidesz campaign messages. Warning of foreign intervention, the government also invited government-friendly election observers to legitimize the polls. Civil society organizations (CSOs) documented a series of attempts at electoral fraud, and independent media revealed evidence that postal ballots in Romania and Serbia were potentially tampered with by Fidesz allies.

Score Change: The score declined from 3 to 2 due to the disproportionate advantages the ruling party received, both in line with and against electoral rules, during parliamentary elections.

A3 0-4 pts

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

The electoral framework that was established by the Fidesz-KDNP majority has been amended regularly based on the political interest of the ruling coalition, and since 2010 Fidesz has redrawn constituency boundaries in its favor.

Electoral authorities are not independent. Members of the National Election Commission (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 NVB members, and observers have raised concerns about the body's impartiality. However, because of the OSCE mission and more than 27,000 volunteers mobilized by civil society organizations, there was likely no fraud on election day in April 2022.

In recent years, Orbán's government has been largely successful in superseding impartiality requirements. Voters living outside Hungary are not guaranteed the ability to vote, and national minority voters have long faced systemic challenges in exercising their right to vote.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive 3 / political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 4

Political parties can organize legally, but they face some practical impediments to garnering popular support. Opposition parties are disadvantaged by the politicized distortion of the advertising market, including the market for the country's many billboards.

Individual politicians face smear campaigns in progovernment media outlets, and the government has taken steps to split the opposition vote in recent elections. Authorities have also interfered with opposition figures' peaceful political activities.

Parliament further amended the electoral framework in 2020, requiring political parties field candidates in 71 (instead of 27) single-member constituencies on a single list, forcing opposition parties to combine and field one consolidated list of candidates in the 2022 general elections. The government also maintains effective control of the State Audit Office (ÁSZ), which monitors campaign activities and party spending. In recent years, the ÁSZ has imposed sanctions on opposition parties for

financial irregularities, while condoning or overlooking problematic spending of state subsidies by Fidesz.

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. Opposition parties contended with even more obstacles and restrictions that detracted from their ability to gain power in the 2022 elections, despite banding together to present one unified slate of candidates. These included unequal access to media, smear campaigns, politicized audits, and a campaign environment skewed by the ruling coalition's mobilization of state resources.

The OSCE found a pervasive overlap between ruling coalition resources and government resources. The government used email addresses collected for pandemic-related communications to disseminate campaign messages and distorted information about the opposition's position regarding the Russia-Ukraine war. Third-party spending, especially in social media, also strongly benefitted the ruling coalition. Fidesz-KDNP candidates were not willing to engage in televised debates with their opponents.

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. The 2022 OSCE observation mission stressed recurring concerns of illegal practices that Roma are typically affected by: vote buying, pressure from mayors in relation to public employment programs, and stigmatizing campaign rhetoric.

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

Women are underrepresented in political life, and the share of women in the parliament remains low. Only 26 of 199 National Assembly members and 1 out of 14 cabinet ministers are women following the 2022 elections. Ruling party ministers and progovernment media occasionally make derogatory and sexist remarks toward women parliamentarians.

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. Minorities without a parliamentary mandate can send a "national minority advocate" to the parliament without voting rights. Only 1 of the 13 recognized minorities managed to elect a representative with voting rights to the National Assembly in 2022.

Roma have long been underrepresented in politics and government and have been the target of derogatory rhetoric from Fidesz members in recent years.

Though individual opposition politicians have openly supported equal rights for LGBT+ people, and the party Momentum has done so explicitly, LGBT+ people's interests are not successfully represented

in the parliament. The April 2022 polls included a referendum on a “child protection” law, a euphemism for provisions of another recently passed anti-LGBT+ law that bans any portrayal of LGBT+ people in materials meant for children. The referendum was made invalid after some 1.7 million voters cast invalid ballots in protest.

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 at will. Fidesz continues to dominate governance through a parliamentary supermajority acquired by means of elections that were not fully competitive. Prime Minister Orbán, the party's leader, exerts considerable influence over the legislature. The ability of the opposition to check government activities remains limited.

Lawmakers have had their behavior in the National Assembly restricted in several ways. The speaker of the National Assembly has disciplined and fined opposition lawmakers for occupying the lectern and bringing signs onto the floor.

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, which it has used without accountability to restrict civil liberties unrelated to public health or safety. This COVID-19 emergency legal regime enabled the government to rule by decree and was prolonged several times until November 2022, when the government declared another state of danger related to the Russia-Ukraine war. Before this, in May, the government had amended the law defining the necessary conditions for a state of danger to include “armed conflict, war, or humanitarian catastrophe” in a neighboring country.

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. Fidesz has established control over auditing and investigative bodies, including the ÁSZ.

Prosecutors have also been reluctant to investigate long-standing allegations of the misuse of public development funds disbursed by the European Union (EU), despite the severity of the problem. In December 2022, the European Commission withdrew €22 billion under the EU Cohesion Fund from Hungary in response to repeated violations of EU law, the Hungarian courts' lack of judicial independence, corruption allegations regarding the use of EU funds, and more.

Throughout 2022, the government adopted a series of anticorruption measures for the proper handling of EU funds. In November, a new Integrity Authority was established, though with limited power to conduct investigations and suspend ongoing public procurement processes. According to Hungarian and international watchdog organizations, the measures were broadly insufficient.

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 because of litigation. In November 2020, the parliament narrowed the legal definition of what constitutes public funds, hampering oversight of large amounts of public money.

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. In October 2022, the government amended public consultation rules to strengthen public participation in lawmaking, which Hungarian NGOs denounced the law as superficial. Journalists have been curtailed from performing their duties while covering parliamentary events; the speaker prohibited 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 due to the COVID-19 pandemic, the government extended the deadline for fulfilling freedom of information requests until November 2022. Critics have since complained that authorities have abused this deadline exemption.

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 Fidesz has undermined this guarantee. While privately owned 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 news sources in a financially precarious position. Public service media controlled by the government has disseminated disinformation and Russian war propaganda since the February 2022 invasion of Ukraine.

The Fidesz governing coalition and their allies have worked to close or acquire critical media outlets. The 2016 closure of Hungary's largest independent daily, *Népszabadság*, represented a particularly serious blow to media diversity. In 2018, around 470 progovernment media outlets were merged under the Central European Press and Media Foundation (KESMA). *Index*, the country's largest independent news outlet, was also taken over by progovernment forces in 2020. That year, the Media Council also revoked the broadcasting license of Klubrádió, the country's largest independent radio station, forcing it off the air in February 2021.

Changes to the "scaremongering" law in 2020, ostensibly to fight false or distorted information about the COVID-19 pandemic, ultimately challenged journalists' ability to secure reliable information, as many individuals, especially health care workers, feared retaliation if they provided information publicly.

In July 2021, an investigation by a team of international journalists, including the Hungarian outlet Direkt36, revealed that independent journalists were surveilled by the Hungarian authorities using the Israeli-made spyware, Pegasus.

Since 2010, Fidesz has gradually taken over artistic and cultural institutions and film and publishing industries and redirected funding for projects and artworks openly promoting nationalistic and Christian values.

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, the preamble of which 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, which has anti-Muslim sentiment.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 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 Parliament has restructured institutions and their finances to increase government-appointed chancellors’ powers. Authorities have increasingly threatened the academic autonomy of well-established institutions, pulling support, interfering in their affairs, and landing progovernment supporters in leading positions. The government has revoked accreditation from all gender studies programs.

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. Fidesz has targeted the Central European University (CEU), a graduate school founded by Soros, by changing the requirements for foreign universities to operate in Hungary. The government also targeted the Hungarian Academy of Sciences (MTA), stripping the 200-year-old academy of its network of research institutions in 2019 and handing it over to a new governing body.

A July 2022 ÁSZ report on “pink education” made the unfounded claim that the overrepresentation of women in higher education might cause demographic challenges and economic harm.

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

While freedom of expression is constitutionally protected, ongoing efforts to sideline voices and perspectives that authorities find unfavorable, including many found at the MTA, CEU, NGOs, and media outlets, have discouraged open criticism of the government and other politically sensitive speech.

In July 2021, an investigation by a team of international journalists revealed that journalists, businessmen, lawyers, and politicians were the targets of secret surveillance conducted with the Israeli-made spyware, Pegasus. A Fidesz parliamentarian in November of that year admitted the purchase of the spyware but denied allegations that it had been used on Hungarians. In January and

June 2022, Hungarian authorities closed investigations into the allegations, claiming they had no evidence that any law had been broken in purchasing Pegasus. Hungary has failed to fully execute a 2016 European Court of Human Rights ruling to incorporate effective institutional guarantees against improper surveillance, which was reiterated by the court in another case in September 2022.

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.

The government continued for months into 2021 the total ban on demonstrations introduced in 2020 to prevent the spread of COVID-19, despite permitting other forms of public events and gatherings. In July 2022, masses rallied on streets across the country to protest against the overhaul of a small-business tax scheme.

E2 0-4 pts

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

NGOs whose activities conflict with government priorities have come under continued pressure since Fidesz took power. Fidesz has instituted burdensome registration and reporting requirements for NGOs, and police have illegally raided NGO offices. Organizations assisting asylum seekers have also been subject to Hungary's "Stop Soros" laws, which heavily restricted the right to asylum and criminalized activities supporting asylum seekers. The CJEU ruled in November 2021 that the "Stop Soros" laws violated EU law.

The government continues to stigmatize NGOs as "foreign agents" or "Soros agents," and frequently scapegoats them for developments unfavorable to the government or deemed unpopular in the eyes of the public. Civil activists won a lawsuit in September 2022 against progovernment weekly *Figyelő* for being listed in 2018 as Soros "mercenaries."

In 2020, the CJEU ruled that the 2017 Act on the Transparency of Organizations was incompatible with EU jurisprudence. In May 2021, in response to this judgment, a new law on the transparency of NGOs was adopted, requiring civil society organizations to submit to yearly financial audits by the ÁSZ should they report donations of more than €55,000. ÁSZ started in May 2022 extensive audits of NGOs labeled "organizations capable of influencing public life."

Hungarian NGOs encouraging individuals to invalidate their ballots in the April 2022 anti-LGBT+ referendum, thus invalidating the vote, were fined in by electoral authorities. Some, but not all, of the fines were remedied by courts.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

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 the government has successfully blocked

efforts to organize strikes in recent years. Union membership is low, trade unions are present in less than 25 percent of workplaces, and only 7 percent of workers belong to one.

In January 2022, teachers' unions organized strikes across the country demanding higher salaries and lightened workloads in public education. The government in February responded by seriously curtailing the right to strike through COVID-19-related emergency powers. The restrictions, entrenched into ordinary legislation in May, made the right to strike in schools only nominal. Striking teachers were threatened with sanctions by their employers, and many of them were dismissed.

Score Change: The score declined from 4 to 3 because the government curtailed the right to strike in response to strike actions by teachers' unions.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 2 / 4

Judicial independence remains a matter of concern. Eleven judges appointed to the Constitutional Court were named by the Fidesz government, and in 2016 a small opposition party was included in the nomination process for four other judges. 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 Fidesz's interests and regularly launch attacks against judges who publicly speak up against measures threatening judicial independence.

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), while the powers of the judicial self-governing body, the National Judicial Council (NJC), which supervises the president of the NJO, are relatively weak. Tünde Handó, former NJO president, was appointed to the Constitutional Court in 2020 and was replaced by György Barna Senyei, another Fidesz ally.

In 2019, the government passed an omnibus bill that 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 Zsolt 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. In July 2022, the NJC discovered several irregularities in appointments made by the Supreme Court chief justice.

In July 2021, a junior judge who had been removed from her position challenged her dismissal through the European Commission, claiming it was politically motivated; she had challenged Hungarian asylum legislation before the CJEU. In November 2021, the CJEU ruled that exposing judges to disciplinary proceedings for referring questions to the EU court is incompatible with EU law and judicial independence.

Leaked evidence from a 2022 corruption scandal suggests that high-ranking justice officials have interfered in criminal investigations.

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. 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 shown some resistance to European judicial oversight on due process matters. In November 2021, the CJEU found that Hungary's Supreme Court had broken EU law when Prosecutor General Péter Polt in 2019 attempted to limit the oversight of the European Court of Justice (ECJ) over a domestic criminal proceeding, in which a lower-level judge sought the ECJ's opinion on its compliance with EU regulations.

In June 2021, the National Assembly passed a measure enabling defendants to claim a compensatory remedy for the excessive length of civil proceedings.

F3 0-4 pts

**Is there protection from the illegitimate use of physical force and freedom from war and 3 /
insurgencies? 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. However, the prison population has continuously risen due to penal populism and the "tough on crime" stance of the government.

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 2 /
population? 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. In the past, asylum seekers were frequently detained in poorly equipped transit zones, and few were recognized by Hungarian authorities as refugees. In 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.

Despite EU court rulings, the government has maintained its stance; it continues to train special police units with wide powers to remove migrants from the country. The government has failed to discontinue the practice of "pushbacks," or the removal of asylum seekers to Serbia, in breach of EU law and in violation of the 2020 CJEU ruling. Consequently, in January 2021, the EU border control agency Frontex suspended its operations in Hungary. While the number of pushbacks peaked in November 2022 at more than 138,000, Prime Minister Orbán encouraged "border hunters," newly inaugurated in September 2022, to commit mass human right violations, calling for the removal of all migrants from Hungary.

While the southern borders are completely shut down to asylum seekers, Hungary has opened its eastern borders for those fleeing Ukraine, reflecting its discriminatory migration policies. Hungary has provided temporary protection status for Ukrainian citizens and their family members fleeing the war; this protection, however, did not cover non-Ukrainians who had legally resided in Ukraine. Human rights NGOs and volunteer groups, not the government, were primarily those who provided aid in the form of accommodation, food, and information for those fleeing their home. While the government described their efforts as the largest ever humanitarian action by the government, only a small percentage of those who arrived in Hungary in 2022 applied for temporary protection.

Roma are Hungary's largest ethnic minority and face widespread discrimination, societal exclusion, violence, and poverty. Roma students continue to be illegally segregated or improperly placed in schools for children with mental disabilities. 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. That year, the National Assembly amended public education laws to prevent courts from awarding pecuniary damages for similar future claims.

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

The Fidesz government has been increasingly and openly discriminatory toward many groups, but particularly LGBT+ people. In 2020, the parliament voted to end the legal recognition of gender identity, passed a law that severely restricts same-sex couples' ability to adopt children, and declared that the legal parents of a child are a woman and a man. Senior Fidesz politicians have made homophobic statements in public, and the government uses anti-LGBT+ rhetoric extensively. A June 2021 law banned the discussion of gender and sexual diversity in schools, the media, advertising, and other public places. The legislation, which conflates pedophilia with homosexuality and expressions of gender identity, was challenged by a European Commission infringement procedure in July. Media and NGOs reported a rise in verbal and physical assaults against LGBT+ people since the 2021 law entered into force.

Antisemitism persists in Hungary, and the government's anti-Soros campaigns pander to individuals with those sentiments. In January 2021, the Equal Treatment Authority—one of Hungary's most effective institutional mechanisms to fight discrimination—was abolished. Its powers were transferred to the Commissioner for Fundamental Rights, whose independence and effectiveness is highly questionable.

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 their ability to change their place of residence or employment. 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. In August 2022, the minister of justice announced that the airline Ryanair was to be fined for unfair trade practices. The company's chief executive had publicly criticized the government's May 2022 small-business tax.

Changes in 2022 to the small-business tax scheme were adopted overnight without public consultation and negatively affected hundreds of thousands of entrepreneurs.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size 3 / of family, protection from domestic violence, and control over appearance? 4

The constitution defines marriage as a union between a man and a woman. LGBT+ Hungarians are allowed to pursue civil unions.

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 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.

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 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 based on gender. While the government has opened victim support centers in recent years, there have been numerous media reports about domestic violence cases having fatal consequences.

Though the constitution defines life as beginning from conception, the statutory regime makes abortion broadly available. However, in September 2022, the government unexpectedly restricted access to abortion by ministerial decree, dubbed a "heartbeat law," requiring the presentation of the fetus's vital functions to the pregnant person before the termination of the pregnancy.

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.

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