

Freedom in the World 2022 - Hungary

Partly Free

69

/ 100

[Political Rights](#) 26 / 40

[Civil Liberties](#) 43 / 60

Last Year's Score & Status

69 / 100 Partly Free

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

Overview

After 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 2021

- A June 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. The government also initiated a referendum on further limiting LGBT+ representation in education, scheduled for 2022.
- In July, an investigation by a team of international journalists, including the Hungarian outlet Direkt36, revealed that independent journalists, businessmen, lawyers, and politicians were the targets of secret surveillance conducted with the Israeli-made spyware, Pegasus. A Fidesz parliamentarian in November admitted the purchase of the spyware but denied allegations that it had been used on Hungarians.
- In January, 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.
- In February, the parliament voted to restructure institutions of higher education, allegedly to increase their competitiveness. Control of 11 public universities, along with billions of euros-worth of public assets, was transferred to quasi-public, government-controlled foundations whose boards are controlled by government allies.

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? 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. Viktor 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 3 / 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) acknowledged that the elections were generally well administered but 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' outcomes, 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 impartially by the 3 / relevant election management bodies? 4

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 2018 election report 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 offset 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.

Since 2010, Fidesz has used its parliamentary supermajority to redraw constituency boundaries in its favor. In November 2021, the Fidesz government amended the electoral law on registering permanent addresses, enabling individuals to create fictional permanent addresses, which could pave the way for possible voter tourism during the 2022 general elections.

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. 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.

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.

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.

Opposition parties and candidates faced many obstacles in the 2018 parliamentary polls that 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. Fidesz also disseminated its messages through the public broadcaster, which demonstrated "clear patterns of political bias" in its election-related programming. Further, the government maintains effective control of the State Audit Office (ÁSZ), which monitors campaign activities and party spending. In recent years, the ÁSZ has imposed sanctions only on opposition parties for financial irregularities, while condoning or overlooking problematic spending of state subsidies by Fidesz.

Nevertheless, Fidesz lost control of several cities, including the capital of Budapest, in 2019 local elections. In 2021, opposition parties banded together to organize primaries and select their candidates for the 2022 general elections.

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 2018 OSCE report found that Roma and other economically marginalized groups were vulnerable to pressure to vote for the ruling parties for "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

Women are underrepresented in political life, and the share of women in the parliament remains low. Only 26 of 199 National Assembly members and only 3 out of 14 cabinet ministers were women in 2021. 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. 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 2018.

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

The political interests of LGBT+ people do not have successful representation in the parliament. In July 2021, Prime Minister Orbán announced that the 2022 polls would include 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.

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 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 since Fidesz won its third term. The speaker of the National Assembly has disciplined and fined 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. This emergency legal regime enabled the government to rule by decree and was prolonged several times in 2020 and 2021. During this time, the government used its power to seriously restrict civil liberties unrelated to public health. The Constitutional Court has failed to invalidate the questionable laws passed during the state of danger.

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 misuse of public 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 December 2021 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 members of the National Assembly, judges, and prosecutors. Transparency International has warned that a number of companies with close ties to the government are supported primarily by public funds.

In 2021, the Fidesz government continued to allocate a substantial amount of public funds for higher education to newly established foundations whose boards are controlled by government allies. In December, a high-ranking government official and member of Fidesz resigned from his post after being charged with accepting bribes.

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. In November 2020, the parliament amended the legal definition of what constitutes public funds. The new, narrower definition can hamper 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. Journalists, meanwhile, have been curtailed from performing their duties while covering events in the parliament; 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 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. In April 2021, the Constitutional Court ruled that while exemptions from the normal deadlines must be limited and had to be justified in writing, extensions themselves were not unconstitutional. Critics have since complained that authorities have abused the exemptions. Since the beginning of the pandemic, the government has not released important epidemiological data to the public.

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 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.

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 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 2020, *Index*, the country’s largest independent news outlet, was also taken over by progovernment forces.

Changes to the “scaremongering” law in 2020, ostensibly to fight false or distorted information about COVID-19, ultimately challenged journalists’ ability to secure reliable sources about the pandemic, as many individuals, especially health care workers, feared retaliation if they provided information publicly. In September 2020, the Media Council revoked the broadcasting license of Klubrádió, the country’s biggest independent radio station, and forced it off the air in February 2021. Klubrádió has since operated only online, after a Hungarian court upheld the license revocation.

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.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public 3 / 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, 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 2 / 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 government-appointed chancellors 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.

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. 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 Court of Justice of the European Union (CJEU) later ruled the 2017 changes were incompatible with European Union (EU) law.

The Fidesz 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. 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.

In February 2021, the parliament voted to restructure institutions of higher education, allegedly to increase their competitiveness. Control of 11 public universities, along with billions of euros-worth of public assets, was transferred to quasi-public, government-controlled foundations.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics 3 / 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 MTA, 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.

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 admitted the purchase of the

spyware but denied allegations that it had been used on Hungarians. Hungary has failed to fully execute a 2016 European Court of Human Rights ruling to incorporate effective institutional guarantees against improper surveillance.

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.

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 in 2018, 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.

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 euros.

E3 0-4 pts

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

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 2 / 4

Judicial independence remains a matter of concern. All 11 judges appointed to the Constitutional Court between 2010 and 2014 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.

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 had been regarded as an ally of the Fidesz government in curtailing judicial independence and came into conflict with the NJC many times. He 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 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 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.

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. 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 2019, Hungary's Supreme Court sided with Prosecutor General Péter Polt in his efforts to limit the European Court of Justice (ECJ)'s oversight over a domestic criminal proceeding, in which a lower-level judge sought the ECJ's opinion on its compliance with EU regulations. Polt argued that the judge's request itself was unlawful. In November 2021, the CJEU found that EU law precludes such rulings of the Supreme Court.

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 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? 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. In the past, 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.

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.

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 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. That year, the National Assembly amended public education laws to prevent courts from awarding pecuniary damages for similar future claims. In September 2021, the newly appointed government commissioner for Roma relations publicly supported Orbán's reluctance to pay the damages.

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

The Fidesz government has been increasingly discriminatory towards 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. The government also initiated a referendum on further limiting LGBT+ representation in education, scheduled for 2022. 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. Government representatives have sought to establish links between the spread of the COVID-19 pandemic and illegal migration.

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. 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 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. While the government has opened victim support centers in recent years, there have been numerous media reports about domestic violence cases having fatal consequences. In October 2021, the government vetoed an EU strategy paper on children's rights and protection for its reference to the LGBT+ community.

Though the constitution defines life as beginning from conception, access to abortion is 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.

ecoi.net summary: 
Annual report on political
rights and civil liberties in 2021

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