



The Repression of Independent Media in Hungary, 2010–2025

Rule of Law Lab





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Executive Summary

Since 2010, as part of its broader effort to consolidate executive power, the Hungarian government has radically restructured the media sector by capturing large segments of the market and systematically obstructing the remaining independent outlets. Once pluralistic, Hungary's media landscape now serves as the most sophisticated example of media capture in the European Union (EU).¹ The ruling party, Fidesz, is estimated to directly or indirectly control roughly eighty percent of the country's media.² Hungarians' trust in news is amongst the lowest in Europe.³ Between 2010 and 2025, Hungary's rank in Reporters Without Borders' World Press Freedom Index fell from 23rd to 68th out of 180 countries measured, leaving it among the lowest-ranked member states in the EU.⁴

The government's capture of the media sector, through its control of state-owned public service media, consolidation of private outlets under government-allied ownership, and diversion of state advertisement funds to government-friendly outlets, is well-documented.⁵ Less well-documented are the government's systematic attempts to undermine independent media outlets, placing their continued existence in grave jeopardy.

This report provides a comprehensive account of the Hungarian government's escalating repression of independent media and offers recommendations for reform. The government has not needed to resort to overt censorship or imprisoning journalists in order to restrict independent media. It has used more sophisticated tactics to achieve that end. As described below, these tactics include: the weaponization of laws against independent media outlets; targeted exclusion of independent journalists; use of smear campaigns; Strategic Lawsuits Against Public Participation (SLAPPs); and unlawful surveillance. Independent media outlets have also been targeted with cyberattacks, although it has not been fully determined who is responsible for those attacks.

i. Weaponizing Laws Against Independent Media

Following the 2010 parliamentary elections, the ruling Fidesz-KDNP party coalition used its two-thirds parliamentary supermajority to enact new media laws that fundamentally reshaped Hungary's media landscape.⁶ The new legislation established the Media Council, a nominally independent regulatory body that in practice is composed entirely of Fidesz appointees and endowed with broad powers over print, online, and broadcast media.⁷ The Media Council's lack of independence is reflected in many of its broadcast licensing and merger decisions displaying political bias in favor of pro-government media outlets and against independent media outlets.⁸

Successive amendments have systematically weakened the Freedom of Information (FOI) Act by narrowing the scope of accessible public data and allowing authorities to withhold disclosure in politically sensitive cases.⁹ Amendments to the Criminal Code since 2012 have further restricted media freedom by introducing offenses related to "false" recordings and pandemic-era "disinformation."¹⁰

In recent years, the government has intensified its weaponization of laws to stifle independent media. In December 2023, Hungary's Parliament enacted the vaguely worded "Sovereignty Protection Act" which established a government office with broad powers to investigate anyone the authorities deem to serve foreign interests or present threats to national sovereignty.¹¹ In October 2024, the European Commission referred Hungary to the Court of Justice for the European Union on grounds that the Sovereignty Protection Act is in breach of EU law, including, *inter alia*, the rights to private life and freedom of expression and association.¹² Nonetheless, the Act has been weaponized against independent media outlets *Átlátszó* and *Telex*.¹³

In May 2025, Parliament introduced another vaguely worded draft bill titled, “Transparency in Public Life” which would enable the government to blacklist, defund, and subject to enhanced financial scrutiny any organization it designates as “a threat to Hungarian sovereignty.”¹⁴ Although the draft was not adopted, it continues to pose a threat to independent media outlets as Prime Minister Viktor Orbán has publicly confirmed the government’s intention to enact it as law.¹⁵

ii. Targeted Exclusion of Independent Media

Independent journalists face systemic barriers in accessing information from the Hungarian government. Their inquiries to the government are systematically ignored and they are routinely denied access to government events, press conferences, parliament, and other public institutions.¹⁶ These practices contravene European Court of Human Rights (ECtHR) standards established in *Mándli v. Hungary* and *Szurovecz v. Hungary*, judgments which the Hungarian government has failed to implement.¹⁷

iii. Smear Campaigns Against Independent Media

Since 2015, coordinated smear campaigns led by government politicians, state-aligned media, and affiliated actors have become a key instrument to delegitimize independent journalism. Critical outlets and journalists are routinely labeled as “foreign agents,” “dollar media,” or “fake news factories,” accused of acting against national interests.¹⁸ These narratives, spread through publicly funded propaganda and online disinformation, create a hostile climate that undermines trust in independent journalism.¹⁹ By 2024–25, smear tactics became more systematic and institutionalized.²⁰ The Sovereignty Protection Office opened investigations into independent media outlet Átlátszó, framing its work as a threat to national sovereignty and demanding access to confidential data.²¹

iv. Strategic Lawsuits Against Public Participation (SLAPPs)

In Hungary, defamation claims under both civil and criminal law have long been used as tools to intimidate journalists.²² However, more recently, alleged violations of the European Union’s General Data Protection Regulation (GDPR) have become the new basis for SLAPPs.²³ Hungary failed to enact legislation establishing exemptions for journalistic processing of personal data as required under Article 85 of the GDPR. As exemplified by the GDPR-based lawsuit brought by a wealthy business group against *Forbes Hungary*, this leaves reporters subject to general data-controller obligations and vulnerable to data-protection complaints designed to suppress reporting on matters of public interest.²⁴ As of 2023, one-third of independent outlets in Hungary had already faced GDPR-based proceedings.²⁵

v. Unlawful Surveillance

While Hungary has a relatively strong legal framework for the protection of journalistic sources, its lack of effective oversight over government surveillance in effect undermines that protection and violates international legal standards. In 2021, investigative journalism center *Direkt36* reported that journalists, lawyers, opposition figures, and even senior government officials had been targeted with Pegasus spyware.²⁶ It also reported that the Hungarian government had purchased the spyware through an intermediary company linked to the Interior Ministry.²⁷ The European Parliament’s Committee of Inquiry on Pegasus subsequently concluded that the Hungarian authorities had indeed deployed Pegasus against journalists, lawyers, and opposition figures. It also found that Hungary’s lack of independent oversight and judicial control over surveillance measures breached EU values and fundamental rights.²⁸ The absence of judicial safeguards and effective remedies remains incompatible with European Court of Human Rights standards set in *Szabó and Vissy v. Hungary*, *Hüttl v. Hungary*, and *Csikós v. Hungary*—judgments which the Hungarian government has failed to implement.²⁹

vi. Cyberattacks

Independent media have repeatedly been targeted by distributed denial of service (DDoS) attacks. These attacks overwhelm servers with artificial traffic and render websites inaccessible during major news events, such as during Hungary's first national opposition primary election in October 2021.³⁰ Around the same time, several independent media sites—such as *Mérce*, *24.hu*, and *444.hu*—were also forced offline due to similar attacks.³¹ Between April and August 2023, over 40 Hungarian independent media outlets suffered a series of sustained DDoS attacks.³² While it has not been fully determined who is responsible for the attacks, it is particularly concerning that they have typically targeted independent media outlets.³³

Despite this systemic obstruction, some independent media outlets have managed to survive in Hungary. Sustained by civic trust, innovative funding models, as well as a public appetite for reliable information, they continue to perform an important watchdog role while keeping people informed on issues of public interest.³⁴ To an outside observer, this resilience may be misconstrued as evidence that state interference with media freedom is negligible. In truth, independent outlets persist not because of a favorable environment, but in spite of entrenched legal, economic, and political hurdles. As the government's regressive measures intensify, their existence has become increasingly precarious.

The government's repressive measures breach Hungary's obligations both as a Council of Europe and as an EU member state. Hungary is party to the European Convention on Human Rights, Article 10 of which protects the right to freedom of expression, including media freedom.³⁵ Under European Court of Human Rights jurisprudence, Hungary's government has an obligation not only to refrain from unduly interfering with media freedom, but also "a positive obligation to put in place an appropriate legislative and administrative framework to guarantee effective pluralism."³⁶

Hungary is also bound by EU law, which adds concrete, sector-specific obligations and enforcement pathways with respect to media freedom and pluralism. Article 11 of the Charter of Fundamental Rights guarantees freedom of expression and information and requires freedom and pluralism of the media to be respected.³⁷ In addition, a growing body of EU secondary law gives concrete expression to Charter-level values through internal market regulation of the media sector. This includes the European Media Freedom Act (EMFA), which establishes common standards on editorial independence, transparency of media ownership, state advertising, and safeguards for public service media; the Audiovisual Media Services Directive (AVMSD), which requires effective independence of national media regulators; and the Anti-SLAPP Directive, which introduces procedural safeguards against manifestly unfounded cross-border civil proceedings targeting public participation.³⁸ The EU framework is further complemented by the Whistleblower Protection Directive, which seeks to protect individuals who disclose information on breaches of EU law, including to the media.³⁹ Finally, the General Data Protection Regulation (GDPR), through Article 85, obliges member states to reconcile data protection with freedom of expression and information by providing appropriate journalistic derogations.⁴⁰

The Hungarian government has failed to comply with many of the aforementioned obligations. Although it has taken some nominal steps to transpose some EU media freedom and pluralism protections into domestic law, it has failed to effectively implement or enforce the European Media Freedom Act, the Audiovisual Media Services Directive, the Anti-SLAPP Directive, Article 85 of the GDPR, and the Whistleblower Protection Directive.⁴¹ Instead, it has chosen to challenge several aspects of the European Media Freedom Act before the Court of Justice of the European Union.⁴²

European bodies have recorded Hungary's violations of its legal obligations on numerous occasions. In December 2025, the European Commission opened an infringement procedure against Hungary for violations of the European Media Freedom Act and the Audio-Visual Media Services Act.⁴³ The European Court of Human Rights has issued numerous judgments finding that the Hungarian government has violated press freedom, but those judgments remain largely unenforced.⁴⁴ The EU Rule of Law Reports and the Council of Europe have repeatedly identified structural deficiencies in Hungary's media regulation, the opaque allocation of state advertising, and the lack of independence of public service media.⁴⁵

The Hungarian government has, however, continued its sustained assault on media freedom and pluralism as part of its systematic effort to undermine democracy and the rule of law. By obstructing independent media, the government forecloses the public's access to information crucial for holding the authorities accountable and for making informed voting choices during elections. In order to restore media pluralism and freedom, as outlined below, successive governments will have to undertake specific measures to ensure a legal, political, and economic environment that enables journalists and media outlets to work freely, independently, and without political interference.

If the government remains unwilling to engage in reform, the European Union's efforts to ensure media freedom and pluralism and, more generally, the rule of law, will assume crucial significance. Since 2020, the European Commission's annual Rule of Law Reports have monitored member states' rule of law developments including with respect to media pluralism and freedom in addition to the justice system, the anti-corruption framework, and other issues related to checks and balances.⁴⁶ Yet the lack of progress documented in these very reports also reveal the limits of the EU's monitoring framework and the need for effective enforcement.⁴⁷ Notably, the European Commission's 2025 Rule of Law Report on Hungary records "no progress"

on strengthening the functional independence of the media regulatory authority, "no progress" on increasing fairness and transparency in the distribution of state advertising, and "no progress" on enhancing the independence of public service media.⁴⁸ It notes instead that "pressure on journalists and other media professionals has increased, as they continue to encounter numerous and serious challenges to their work."⁴⁹ Indeed, Hungary remains the most striking outlier with respect to rule of law compliance in the EU, displaying the highest number of "no progress" assessment ratings with respect to Rule of Law Report recommendations, reflecting deep-rooted resistance to EU-level oversight.⁵⁰

Without clear benchmarks, follow-up, and consequences for non-compliance, the Rule of Law Reports risk having little impact. Effective enforcement mechanisms are crucial not only for restoring media pluralism and freedom in Hungary, but also to guard against the Hungarian government's media power extending, through Fidesz-allied acquisitions of media outlets, to other EU member states.⁵¹ The Commission's recent decision to open an infringement procedure against Hungary for violations of the European Media Freedom Act and the Audio-Visual Media Services Act is a step in the right direction.⁵² However, it is unlikely to bear fruit prior to the forthcoming April 2026 parliamentary elections, when access to unbiased information will be of crucial significance. As outlined below, the European Union should take several additional measures in support of media reform. Rebuilding media pluralism in Hungary is vital not only for the nation's democracy, but also for the credibility of the European Union's commitment to its own founding values.

Recommendations to Successive Hungarian Governments

1. Reform the media regulatory framework to ensure media regulators are genuinely independent and transparent, and eliminate the political control of journalists and media outlets.
2. End the arbitrary obstruction of journalists' and media outlets' requests to the government for information.
3. Ensure legal safeguards against lawsuits used to harass journalists and media outlets based on alleged violations of defamation laws and the GDPR.
4. Refrain from imposing arbitrary restrictions on independent media outlets seeking access to government press conferences, public events, parliament, and public institutions.
5. End smear campaigns against journalists, and ensure that public funds or official channels are not used to publicly discredit journalists to delegitimize them and deter them from independent reporting.
6. Comply fully with and implement European Court of Human Rights judgments relating to media freedom and pluralism.
7. Establish effective court-supervised surveillance procedures and post-notification for affected individuals.
8. Effectively investigate all cyberattacks, digital harassment, and threats against journalists promptly and transparently, and ensure accountability of perpetrators.
9. Reform public service media to guarantee its institutional independence and autonomy.
10. End market distortion and political favoritism in state advertising.
11. Ensure full and consistent implementation and enforcement of the European Media Freedom Act (EMFA), the Audiovisual Media Service Directive (AVMSD), the Anti-SLAPP Directive, the Whistleblower Protection Directive, and Article 85 of the General Data Protection Regulation (GDPR).

Recommendations to the European Union

1. Use infringement procedures proactively and consistently to address EU law violations relating to media pluralism and media freedom in Hungary.
2. Establish an inter-directorate coordination mechanism (involving the Directorate-General for Justice and Consumers (DG JUST), the Directorate-General for Communications Networks, Content and Technology (DG CONNECT), and the Directorate-General for Competition (DG COMP)) to holistically monitor and enforce EU law with respect to media freedom and pluralism in Hungary.
3. Increase direct EU funding for independent Hungarian media, investigative journalism, and press-freedom organizations.

I. Introduction

Independent media, free to report the truth without undue influence from the government or other external actors, is the cornerstone of a democratic society.⁵³ It performs a crucial public watchdog function, vital for holding the government and other institutions to account, while also informing the public.

This report documents the systematic assault on independent media in Hungary since 2010 and offers recommendations for reform. Through acquisitions of independent media outlets by government allies, laws politicizing regulatory bodies and restricting journalistic freedoms as well as the targeted exclusion, vilification, and harassment of independent journalists, the Orbán government has systematically sought to restrict independent media.

Before 2010, Hungarian media operated without major restrictions, though it was not entirely free of challenges.⁵⁴ The media market was diverse, featuring both foreign and domestic investors.⁵⁵ While economic pressures existed, the legal environment broadly respected editorial independence.⁵⁶ Today, the situation is markedly different. Hungary's media freedom now ranks amongst the lowest of European Union member states.⁵⁷

This decline in media freedom occurred in the context of the Orbán government's systematic assault on the rule of law. Since it took office in 2010, that government has deliberately and comprehensively restructured Hungary's constitutional order. Through a series of constitutional amendments followed by the adoption of a new constitution in 2012, Orbán's Fidesz party curtailed the Constitutional Court's powers and secured a pro-government majority on the court.⁵⁸ The ruling party also captured oversight bodies, including the Media Council (mandated to oversee and ensure the implementation of media freedom) and State Audit Office, as well as the

Prosecutor General's office.⁵⁹ Parliament's oversight over the executive has been significantly curtailed.⁶⁰ During the COVID-19 pandemic and since 2022, the government normalized governing by decree, issuing emergency decrees that remain in effect indefinitely.⁶¹

The European Union and the Council of Europe have repeatedly raised the alarm about the degradation of the rule of law in Hungary.⁶² In 2018, the European Parliament triggered the Article 7 procedure identifying a clear risk of serious breaches of EU values.⁶³ In 2022, the European Parliament described Hungary as a "hybrid regime of electoral autocracy."⁶⁴

II. The Evolution of Hungarian Media: Post-2010 Media Capture

Following the collapse of communism in 1989, Hungary's media market has consisted of a mix of state-owned public service media as well as private media outlets.⁶⁵ Foreign investors, especially German companies, began entering the market in the early 1990s.⁶⁶ The selection of print media quickly expanded.⁶⁷ In 1996, the first media law was passed and, following the frequency tenders, national commercial television broadcasting began in 1997, followed by radio broadcasting in 1998.⁶⁸ The economy was growing, and advertisers fueled the growth of the media industry.⁶⁹ At the same time, foreign investors did not know the language or the cultural context, and the editorial offices were run by journalists who had been socialized under communism.⁷⁰ New management techniques appeared, and significant infrastructure developments took place, but no one paid attention to the development of western professional and ethical standards of journalism in Hungary.⁷¹ At the time, this shortcoming was not yet apparent; the Hungarian media market had seemingly emerged from its previous scarcity to become a competitive market, and consumers welcomed this with great enthusiasm. With the spread of the internet, media supply continued to grow, and media consumption habits aligned with global trends.⁷²

In the 2000s, Hungarian investors began to play a more prominent role again, but in line with the pattern seen across Central and Eastern Europe, this also brought with it the rise of oligarchs and the emergence of clientelism.⁷³ The 2008 global financial crisis posed a serious challenge to the media industry around the world. The Hungarian economy was vulnerable, and after being confronted with decreasing revenues from their audiences, media enterprises also had to come to terms with declining advertising revenues.⁷⁴ Another global challenge was the rise of digital platforms, especially Google and Facebook. By the early 2010s,

it had become clear that these tech giants posed a serious threat to media business models.⁷⁵

The plurality of the media landscape began to change after 2010, when the Orbán government came to power and enacted new media laws.⁷⁶ It established a new regulatory framework featuring far greater state intervention in the media market than before.⁷⁷ Because of global and domestic developments, the Hungarian media market became less attractive for international investors. The economic decline impacted foreign investors, and several major enterprises left the country because they no longer saw the high returns they had previously experienced.⁷⁸ Among others, Sanoma, ProSiebenSat1, Funke Gruppe, Metropol, Axel Springer and Ringier sold their Hungarian media assets.⁷⁹ As Hungarian investors bought those assets, the Hungarian share in the ownership of the media market significantly increased.⁸⁰ By the beginning of the 2010s, Lajos Simicska, a close friend of Prime Minister Viktor Orbán, had become the largest media owner in Hungary.⁸¹ Following Simicska's serious conflict with Orbán in 2015⁸², another close friend of Orbán's, Lőrinc Mészáros, became Hungary's largest media owner.⁸³

The Orbán government captured large segments of the media sector through consolidation of private outlets under allied ownership, diversion of state advertisement to government-friendly outlets, and control of public media.⁸⁴

The case of market-leader news portal *Origo* in 2014 marked a turning point: after publishing an investigation into ministerial spending, the editor-in-chief was forced to resign, triggering a mass exodus of journalists.⁸⁵ At that time, *Origo* was owned by the German telecom giant Deutsche Telekom, but shortly thereafter, *Origo* was sold to a politically connected owner and transformed from a respected news

site into a government mouthpiece.⁸⁶ Similarly, the closure of the independent daily *Népszabadság* in 2016 by Mediaworks – followed by its acquisition by an ally of the Prime Minister – highlighted the direct impact of political interests on media pluralism.⁸⁷

The most striking example of media capture occurred in 2018, with the creation of the Central European Press and Media Foundation (KESMA). In a single move, 476 pro-government media outlets were consolidated under one umbrella foundation, with the government exempting the merger from competition and media plurality reviews by invoking a “national strategic interest.”⁸⁸ This unprecedented concentration of media ownership effectively deprived Hungarian citizens of diverse information sources.

In parallel, the government has used state advertising as a tool of political favoritism. Pro-government outlets receive substantial public funds, while independent media have been systematically excluded, distorting competition and undermining sustainability.⁸⁹ Despite complaints to the European Commission, no investigation into unlawful state aid has yet been launched.⁹⁰

Government-aligned media outlets in Hungary are structurally, financially, or editorially dependent on those in power. They typically display one or more of the following features: personal ties between owners and political elites, as in the cases of Lajos Simicska who controlled major outlets like Hír TV⁹¹; direct or indirect ownership links, such as Andrew G. Vajna’s acquisition, while he was serving as a government commissioner, of TV2, Rádió 1, and regional dailies⁹²; and consistent editorial loyalty, where outlets promote government narratives, minimize government scandals, and function as instruments of political communication rather than independent watchdogs.⁹³

Political influence extends across the media ecosystem. Distribution networks, media agencies, and even printing houses have fallen into the hands of government-friendly actors.⁹⁴ Independent

weekly *Magyar Hang*, for example, has been forced to print in Slovakia because no printing house in Hungary was willing to sign a contract with the publisher.⁹⁵

Overseen by the Fidesz-controlled Media Council, public service media, rather than providing balanced information, functions as an instrument of government propaganda, with opaque financing and indications of competition-distorting government support that under EU law amounts to “illegal state aid.”⁹⁶ In addition, political communication on digital platforms is dominated by government actors. In the first half of 2024 alone, the ruling party and its proxies spent €5.4 million on Meta and Google advertising – almost four times the combined political advertising spending of 15 opposition parties and their proxies on those platforms.⁹⁷

Local media markets are even more vulnerable—advertising revenues are limited, editorial offices face political pressure, and local outlets are often owned or financed by municipal governments aligned with the ruling party.⁹⁸ Truly independent local journalism is rare, and most citizens in the countryside are left with highly biased information.⁹⁹

Today, Hungarians derive their news mainly from online media and television, relying to a lesser extent on radio and even less on print media.¹⁰⁰ Fidesz is estimated to control roughly eighty percent of the country’s media, including through the buy-out of outlets by Fidesz allies.¹⁰¹ Unsurprisingly, Hungarians’ trust in news media and journalism is among the lowest in Europe. According to the Reuters Institute Digital News Report, only 22 percent of Hungarian respondents trust “most news most of the time.”¹⁰²

III. Independent Media: The Fourth Estate

Although Hungary's media landscape is characterized by a high degree of political control and market distortion, several independent media outlets have managed to operate outside this system. Sustained by innovative ownership structures and funding models, these outlets play an important public watchdog role. Despite facing sustained political, legal, and economic pressure, they remain active and relevant. Their survival stems not from a favorable environment for media freedom, but from their adaptive strategies, distinct organizational characteristics, and community-based support.¹⁰³

Key Hungarian independent media outlets include *RTL*, *24.hu*, *HVG*, *Telex*, *444*, *Partizán*, *Magyar Hang*, *Válasz Online*, *Klubrádió*, *Átlátszó*, *Direkt36*, *Magyar Narancs* in addition to some local online media outlets.¹⁰⁴ Many of these outlets were founded by journalists who left politically captured newsrooms, choosing integrity and independence over political control.¹⁰⁵

Independent media outlets have performed an important watchdog role while keeping Hungarians informed on issues of public interest. For example, *HVG* reported on allegations that President Pál Schmitt had plagiarized his doctoral thesis, leading to his resignation in 2012.¹⁰⁶ In 2021, *Direkt36* reported that the Hungarian government had used Pegasus spyware to surveil journalists and opposition political figures.¹⁰⁷ In 2024, *444* reported on President Katalin Novák's controversial pardon of an individual implicated in child sexual abuse.¹⁰⁸

Independent media outlets that have managed to survive have been sustained by civic trust and innovative funding models. A long-standing element of this ecosystem is Hungary's tax-designation mechanism, introduced in the mid-1990s, which allows citizens to direct one percent of their paid personal income tax to non-profit organizations, including newsrooms. This mechanism has provided a modest but stable domestic revenue

source independent of government favor, and has strengthened the direct relationship between citizens and the journalism they value.

In 2024, *Partizán* received the highest amount of such donations of any Hungarian civil organization, while in 2025, *Telex* ranked first nationally.¹⁰⁹ This demonstrates the value of public solidarity for sustaining independent journalism even under an illiberal regime. In addition to funds derived from the tax designation scheme, most independent media rely on donor campaigns, reader subscriptions, and international grants.¹¹⁰

While much of the independent media sector consists of small and medium-sized newsrooms with flexible structures and modest resources, several larger independent actors also continue to operate, including domestically owned groups such as *Central Media Group*, foreign-owned broadcasters such as *RTL Hungary*, and multi-source, community-supported outlets such as *Telex*. Despite their different ownership models and capacities, these organizations face the same structural constraints and rely on adaptability to navigate a hostile environment. As international funding narrows and commercial revenues remain limited, they increasingly prioritize direct, trust-based relationships with their audiences and membership or subscription models.

From the outside, this resilience is sometimes misinterpreted as an indication that governmental pressure is negligible. In reality, independent outlets remain active despite significant legal, economic, and political hurdles. Their survival reflects civic solidarity, diversified revenue strategies, and a persistent public demand for reliable information.

IV. Restrictions on Independent Media

As an EU member state, Hungary is bound by the Union's founding values of democracy, the rule of law, and respect for human rights.¹¹¹ It is also bound by the Charter of Fundamental Rights, Article 11 of which protects freedom of expression and information and expressly requires respect for freedom and pluralism of the media.¹¹² In addition, a growing body of EU secondary law gives concrete expression to Charter-level values through internal market regulation of the media sector. This includes the European Media Freedom Act (EMFA), which establishes common standards on editorial independence, transparency of media ownership, state advertising, and safeguards for public service media; the Audiovisual Media Services Directive (AVMSD), which requires effective independence of national media regulators; and the Anti-SLAPP Directive, which introduces procedural safeguards against manifestly unfounded cross-border civil proceedings targeting public participation.¹¹³ The EU framework is further complemented by the Whistleblower Protection Directive, which seeks to protect individuals who disclose information on breaches of EU law, including to the media.¹¹⁴ Finally, the General Data Protection Regulation (GDPR), through Article 85, obliges member states to reconcile data protection with freedom of expression and information by providing appropriate journalistic derogations.¹¹⁵ Although the Hungarian government has taken some nominal steps to transpose some EU media freedom protections into domestic law, it has failed to effectively implement or enforce the European Media Freedom Act, the Audiovisual Media Services Directive, the Anti-SLAPP Directive, Article 85 of the GDPR, and the Whistleblower Protection Directive.¹¹⁶ Instead, it has chosen to challenge several aspects of the European Media Freedom Act before the Court of Justice of the European Union.¹¹⁷

Hungary is also party to the European Convention on Human Rights (ECHR) and the International

Convention on Civil and Political Rights (ICCPR), which protect the right to freedom of expression, including media freedom.¹¹⁸ The European Court of Human Rights has held that states party to the ECHR have an obligation not only to refrain from unduly interfering with media freedom, but also “a positive obligation to put in place an appropriate legislative and administrative framework to guarantee effective pluralism.”¹¹⁹

Since 2010, the Hungarian government's systematic attempts to restrict independent media, described below, have breached many of the aforementioned obligations.

a. Weaponizing Laws Against Independent Media

Since 2010, Hungary's parliament has enacted a series of laws relating to the media, access to information, and defamation. As described below, these laws have established an institutional framework which has been systematically used to restrict independent media.

i. Media Laws

Following the 2010 elections, the Fidesz-dominated legislature enacted new media laws which fundamentally transformed the media environment.¹²⁰ The legislation's most significant innovation was the creation of the Media Council, a supervisory body that is nominally independent but in practice composed entirely of Fidesz nominees and endowed with broad powers over print, online, and broadcast media. From the outset, the Council has operated as a politically dependent institution, consistently endorsing the expansion of pro-government actors in the media market.¹²¹ The same laws also centralized control of the public service media under the Media Support and Asset Management Fund (MTVA). Although the 2010 Media Act states that public service media should operate independently, in reality Hungary's

public service media quickly evolved into a politically controlled one that served the government rather than the public.¹²²

International bodies—including the Organization for Security and Cooperation in Europe (OSCE), the Venice Commission, and the UN Special Rapporteur on Freedom of Expression—consistently found Hungary’s media laws incompatible with media freedom standards.¹²³ Yet the government refused to implement meaningful reform. Although the European Commission’s criticism pressured Hungary to enact minor amendments to media laws in 2011¹²⁴ to harmonize them with EU law, this did not change the laws’ disproportionately restrictive nature. In 2013, the Council of Europe’s criticisms generated very minor changes in relation to the election of members of the media authority.¹²⁵ The last comprehensive criticism of the media laws was made by the Venice Commission in 2015.¹²⁶ Although the Commission found crucial provisions in the media laws to be incompatible with freedom of the press, the Hungarian legislature declined to amend those laws.

The Hungarian media landscape has also influenced EU legislative responses. The 2018 amendment to the Audiovisual Media Services Directive¹²⁷ introduced rules on the independence of media regulators, but these largely codified formal guarantees that already existed in Hungarian law and did not affect the Media Council’s politically dependent operation.¹²⁸ Although the European Commission’s Rule of Law Reports have repeatedly found the independence and transparency of Hungary’s media authority to be at “high risk,” no corrective measures followed.¹²⁹

Additionally, in 2024, the European Union adopted the European Media Freedom Act (EMFA), a regulation establishing common standards for safeguarding media pluralism and independence across the internal market.¹³⁰ Many of its provisions—relating, for example, to state advertising, ownership transparency, limits on market concentration, and safeguards for public service media and

journalists—reflect long-standing concerns in the Hungarian context.¹³¹ The regulation entered into force in August 2025, but Hungary has taken no steps towards alignment.¹³² As EMFA enforcement depends largely on national governments, its impact under current political conditions is expected to be limited, although it may provide an important legal framework for future restoration of media pluralism and freedom.¹³³

ii. Freedom of Information Law

Hungary’s Freedom of Information (FOI) framework, originally established by the 1992 FOI Act and later consolidated in the Freedom of Information Act of 2011, has long served as a crucial tool for journalists to investigate the use of public funds and hold authorities accountable.¹³⁴ In practice, FOI procedures still function relatively well, and in many cases, authorities cooperate and release information on matters that are not politically sensitive. However, since 2010, restrictions have been introduced in response to attempts by journalists or NGOs to expose corruption scandals or other issues inconvenient for those in power.¹³⁵

The first step towards restriction was the abolition of the independent Data Protection Commissioner in 2012, whose responsibilities were transferred to the newly created National Authority for Data Protection and Freedom of Information (NAIH).¹³⁶ The premature removal of the Commissioner was later declared unlawful by the Court of Justice of the European Union.¹³⁷

In 2013, Parliament amended the FOI Act to curb so-called “abusive” requests, allowing authorities to reject applications deemed excessive or overly burdensome.¹³⁸ This narrowed the scope of the Act and enabled authorities to block access to large datasets of public relevance.¹³⁹ Two years later, in 2015, the Act was again modified, permitting authorities to charge vaguely defined labor costs for processing FOI requests.¹⁴⁰ The law also introduced broad grounds for rejecting information requests, such as when the requested material was

“preparatory” to future decisions, or when copyright or duplication issues could be claimed.¹⁴¹ These measures rendered the process for requesting information costly, slow and unpredictable, and they were widely condemned by international organizations and by the UN Special Rapporteur on human rights defenders.¹⁴²

During the COVID-19 state of emergency in 2020, the government further curtailed access to information and transparency. A government decree extended FOI response deadlines to 90 days, effectively suspending timely access to information.¹⁴³ At the same time, Parliament failed to comply with a Constitutional Court ruling that required amendments to remove legal obstacles in access to data held by entities that received public funds.¹⁴⁴ Later that year, the Fundamental Law itself was amended to narrow the legal definition of “public funds,” further restricting the scope of information subject to disclosure.¹⁴⁵

In 2022, the European Commission triggered the conditionality mechanism due to rule of law concerns, leading the Council of the EU to suspend part of Hungary’s funding.¹⁴⁶ In response, the government amended the FOI Act between late 2022 and early 2023, introducing faster court procedures and free access to public data, with limited exceptions.¹⁴⁷ Yet, in 2023–24, Parliament adopted new restrictive provisions that added further grounds for rejecting information requests.¹⁴⁸ According to K-Monitor’s research, these changes have once again curtailed access to public information in Hungary.¹⁴⁹ In sum, while access to politically neutral data is generally ensured, information concerning corruption, public funds, or government spending continues to face systematic delays and denials, while binding court judgments ordering the disclosure of politically sensitive data are also often ignored.¹⁵⁰

iii. Criminal Law

Changes to the Criminal Code since 2012 further narrowed journalistic freedoms. A 2013 amendment criminalized the creation or dissemination of

false audio or video recordings that could harm reputations.¹⁵¹ Although the amendment was originally justified by a fabricated election-fraud video, its text was broadly phrased, and could be read to apply to journalistic materials.¹⁵²

In 2020, during the pandemic, a new offense penalized the “spreading of disinformation” under a special legal order, carrying prison sentences of one to five years.¹⁵³ The vague definition allowed room for arbitrary enforcement against critics of government measures. Although courts were cautious in practice, the law had a chilling effect during a time of heightened public need for accurate information.¹⁵⁴

The 2023 amendment to Hungary’s Criminal Code introduced a limited safeguard for freedom of expression by decriminalizing defamation and insult when committed in the course of public debate through a media service.¹⁵⁵ While this constitutes a modest improvement, the protection applies exclusively to registered media service providers, leaving individual journalists, bloggers, and other actors in public discourse exposed to criminal liability.

iv. Sovereignty Protection Act

In 2023, Parliament enacted the Sovereignty Protection Act, which established the Office for the Protection of Sovereignty (“SPO”), tasked with investigating foreign influence, disinformation, and funding of organizations engaged in democratic debate.¹⁵⁶ The Office has powers to compel information and issue public reports without judicial remedy, effectively enabling state-driven stigmatization of independent media outlets.¹⁵⁷ In June 2024, the Office launched an investigation into independent media outlet *Átlátszó* and Transparency International Hungary.¹⁵⁸ In November 2025, the Sovereignty Protection Office announced that it would disclose further information allegedly proving the foreign financing of *Telex*.¹⁵⁹ (In October 2024, the European Commission referred Hungary to the Court of Justice of the European Union (CJEU), on the grounds that the Act violated several provisions of EU law.¹⁶⁰)

In May 2025, Parliament introduced a draft bill titled “*Transparency in Public Life*” that would allow the Office to blacklist organizations, ban them from receiving foreign funds, and subject their leaders to asset declaration and enhanced financial scrutiny.¹⁶¹ Such measures risk being applied to media outlets, further narrowing the space for independent reporting.¹⁶² Although that draft bill was ultimately not adopted, the Prime Minister has publicly confirmed the government’s intention to enact the law, thereby maintaining a persistent chilling effect on civil society and independent media.¹⁶³

b. Targeted Exclusion of Independent Journalists

Since 2010, Hungarian authorities have deployed systematic practices to obstruct independent journalists.¹⁶⁴ These practices—ranging from ignoring inquiries to restricting access to public institutions—form part of a broader strategy to impair the day-to-day work of outlets critical of the government while also depriving Hungarians access to information on matters of public interest.¹⁶⁵ Particularly since the National Communications Office was established in 2014, and since it was incorporated into the Prime Minister’s Cabinet Office in 2018, state communications have been increasingly centralized, limiting the press’s access to key information and events.¹⁶⁶

The targeted exclusion of independent journalists has serious adverse effects on their daily work.¹⁶⁷ Since public authorities routinely ignore or delay responding to their questions, many outlets have to rely instead on formal FOI requests, but the FOI process is so slow that responses often arrive long after a story has lost relevance.¹⁶⁸ Others turn to alternative sources such as experts or fellow reporters, especially for television and radio which need immediate comment.¹⁶⁹ Since the 2018 elections, access to information from leaks and personal contacts significantly diminished, as stricter internal government controls and a climate of fear discouraged potential informants.¹⁷⁰ Journalists face sharp ethical dilemmas—the obligation to

seek comment from all sides clashes with a reality where officials rarely respond to queries, forcing reporters to publish stories without answers. Some newsrooms respond by making the lack of response itself the story, even in ironic formats.¹⁷¹ While European and domestic bodies have condemned restrictions on independent media, legal remedies for challenging them remain slow and incomplete, leaving structural obstacles in place.¹⁷²

i. Ignoring Journalistic Inquiries

State institutions, local municipalities and state-owned enterprises obstruct independent media by systematically ignoring their inquiries. They often refuse to answer journalists’ questions, provide meaningless replies, or completely fail to acknowledge journalistic inquiries.¹⁷³ The problem became more acute after the 2018 elections, when government communications became centralized. The systematic non-response of state institutions has since become a structural feature of the media environment, seriously obstructing the daily work of independent media.

ii. Excluding Reporters from Public Events and Press Conferences

The Hungarian government repeatedly denies independent journalists access to public events and government press conferences, especially when Prime Minister Viktor Orbán or ministers are present. This obstruction is rarely formalized. Instead, journalists receive vague rejections based on claims of “limited capacity,” are told that the event is not open to the public, or simply left off accreditation lists despite registering on time.¹⁷⁴ Video footage from inside these events frequently shows ample space or the presence of government-friendly media, undermining the official justification.¹⁷⁵

For example, in January 2019, journalists from eight independent media outlets were denied entry to Orbán’s first press conference of the year on grounds of insufficient space, even though video evidence showed otherwise.¹⁷⁶ Similar patterns recurred in January 2020 and again in 2022 and

2024.¹⁷⁷ Again, in February 2025, both *Telex* and *HVG* were excluded from the Prime Minister's annual State of the Nation address, with organizers once more citing "limited capacity."¹⁷⁸ The repetition of such exclusion confirms that it is a structural feature of Hungary's media environment rather than an isolated practice.

Local examples also highlight the systematic nature of exclusion. In 2019, the independent outlet *Pécsi Stop* was repeatedly excluded from municipal events in Pécs, while media outlets loyal to the local government were granted access.¹⁷⁹ The Equal Treatment Authority later ruled that this was discriminatory.¹⁸⁰ In 2020, police physically blocked *Telex* reporters from filming at the Carmelite Monastery, which houses the Prime Minister's office. Even after a court ruled that this practice was unlawful¹⁸¹, the government circumvented the decision by redesignating the square as a "designated contraction zone," effectively reinstating the restriction.¹⁸² In 2024, the police prevented *Telex* reporters from entering the public press conference of Minister of Foreign Affairs and Trade, Péter Szijjártó, while allowing other journalists to enter. When *Telex* reporters waited outside, the police declared the area "operational," meaning it was designated as part of an active law enforcement action to secure the route of the foreign minister, and instructed the journalists to leave.¹⁸³

iii. Restrictions on Parliamentary Reporting

Press freedom has been further curtailed by restrictions imposed on parliamentary reporting. The most significant case occurred in 2016, when six independent journalists were banned from entering the Parliament for allegedly violating the Speaker's order.¹⁸⁴ The Speaker justified the decision by claiming that the journalists had been filming in areas of the Parliament where recording was prohibited under his order, and that they continued filming despite being instructed to stop. According to the reporters, however, they were filming in the same location as on previous occasions, but on that day,

due to Prime Minister Orbán's presence, security rules were applied far more strictly. Journalists were confined to an area from where it was practically impossible to approach members of Parliament for comment.¹⁸⁵

Following a legal challenge to the ban, in 2020, the European Court of Human Rights ruled that it had violated Article 10 of the European Convention on Human Rights.¹⁸⁶ The Court emphasized that while parliaments may regulate media access to preserve order, restrictions must be lawful, proportionate, and subject to procedural safeguards. The Court also found that the arbitrary denial of access to Parliament created a chilling effect on media freedom. Despite this judgment, restrictions intensified after 2019, with journalists confined to designated "press pens" inside Parliament.¹⁸⁷ These small, cordoned-off areas severely limited spontaneous reporting and direct access to members of Parliament. By controlling physical proximity and mobility, the authorities limited the media's ability to cover legislative debates and political developments in real-time.

iv. Denying Access to Public Institutions and Refugee Camps

Hungarian authorities have also blocked independent journalists from entering state-run facilities such as refugee camps and hospitals. These restrictions, often justified on grounds of privacy, security, or institutional order, prevented independent media coverage of sensitive issues of significant public interest, such as migration and healthcare.

For example, in 2015, journalist András Szurovecz sought to report from the Debrecen Reception Centre, aiming to document the living conditions of people seeking asylum in Hungary. Hungarian authorities denied his request, citing security and privacy concerns. After the Hungarian courts dismissed his legal challenge of the denial, the journalist brought the case before the European Court of Human Rights, complaining that the authorities had prevented him from reporting

firsthand on conditions at the Debrecen Reception Centre during the peak of the refugee crisis in Hungary. The Court ruled that this denial violated his right to freedom of expression, affirming that first-hand observation is an essential element of journalism.¹⁸⁸ The Court further stressed that alternatives, such as relying on NGO reports, could not substitute for direct access.¹⁸⁹ Despite this precedent, Hungarian authorities continued to deny journalists access to facilities central to public-interest reporting.

Limitations on press freedom reached a critical point during the COVID-19 pandemic when the Hungarian government significantly restricted journalistic access to information under the pretext of crisis management.¹⁹⁰ The 2020 Coronavirus Act enabled rule by decree and centralized government communication through filtered press briefings, while independent journalists were barred from hospitals and from speaking to doctors without permission.¹⁹¹ In March 2021, 28 independent media outlets jointly protested that these restrictions endangered lives by blocking critical reporting.¹⁹² A court ruling in January 2022 in favor of *Telex* found the blanket hospital ban unlawful and ordered case-by-case decisions.¹⁹³ However, the government swiftly circumvented the judgment by issuing a decree that re-established its exclusive control of press access.¹⁹⁴

c. Discreditation and Smear Campaigns Against Journalists

Beyond structural restrictions, independent journalists in Hungary are systematically subjected to smear campaigns, public discreditation, and stigmatization, primarily by government politicians, pro-government media, and government-affiliated actors. These campaigns, which intensified since 2015, served to delegitimize critical reporting, intimidate dissenting voices, and erode public trust in independent journalism.

i. Blacklists and “Foreign Agent” Narratives

The first wave of smear campaigns appeared in 2015, characterized by escalating allegations that independent journalists were aligned with George Soros.¹⁹⁵ Pro-government media outlets such as *888.hu*¹⁹⁶ and *Figyelő* publicly listed journalists, academics, and NGO employees as “foreign propagandists” and “Soros’s mercenaries.”¹⁹⁷ Although courts later declared *Figyelő* blacklists unlawful, their chilling effect was significant as they stigmatized independent voices and branded them as enemies of the state.¹⁹⁸

From 2023 onwards, smear narratives increasingly relied on accusations of foreign funding when independent outlets were labeled as “dollar media” or “Soros media,” allegedly acting on behalf of foreign interests.¹⁹⁹ In January 2023, *Átlátszó* and its editor-in-chief faced a campaign branding them as national security threats, accusing them of betraying Hungarian minorities abroad and serving foreign powers.²⁰⁰ That same year, Prime Minister Orbán claimed on public radio that “leftist media financed from abroad are pro-war,” framing foreign funding as synonymous with disloyalty to the nation.²⁰¹

The smear campaign intensified in May 2024, when pro-government media outlet *Origo* accused the readers of media outlets such as *Telex*, *444*, and *HVG* of celebrating the assassination attempt on Slovak Prime Minister Robert Fico.²⁰² No evidence supported this claim, yet the publication alleged that “dollar media readers rejoiced” at political violence.²⁰³

In June 2024, the SPO launched an investigation into *Átlátszó*, demanding access to bank statements, contracts, and ledgers. The inquiry report characterizes *Átlátszó*’s investigative journalism, freedom of information requests, and whistleblowing platform as “an opportunity to mask intelligence activities against the Hungarian state and its institutions, disguised as legitimate data gathering.”²⁰⁴ It further states that *Átlátszó*

“operates in line with foreign interests and with foreign state funding,” and concludes that *Átlátszó*’s activities “pose a sovereignty protection problem for Hungary” and cause “considerable” damage.²⁰⁵ *Átlátszó* has rejected all of the SPO’s claims. It has sued the SPO for defamation, and has prevailed before the first instance court.²⁰⁶ In addition, in June 2025, the independent media outlet *Válasz Online* also filed a defamation lawsuit against the SPO on grounds that the SPO’s public statement²⁰⁷ falsely implied foreign influence over the outlet’s activities and unlawfully harmed its reputation.²⁰⁸

In 2025, the run-up to forthcoming parliamentary elections was marked by an unprecedented escalation of smear campaigns. On February 4, the pro-government media *Magyar Nemzet* and Fidesz parliamentary leader Máté Kocsis accused *Direkt36* of serving Ukrainian intelligence through the *Direkt36* investigative documentary examining corruption and public procurement linked to Orbán’s family network.²⁰⁹ On March 15, during a national holiday commemoration, Orbán expanded on this imagery, likening his critics to “*bedbugs that survived the winter*,” and accused them of operating a “*shadow army*” funded by corrupt foreign money.²¹⁰ Professional associations of psychologists and psychiatrists condemned the dehumanizing rhetoric, warning of its dangerous psychological and social effects.²¹¹

ii. Delegitimizing Independent Media as “Fake News Factories”

Prime Minister Viktor Orbán has reinforced hostile rhetoric directed at independent journalists. At a 2018 public event, when approached by an *Index* journalist, he replied: “*You can ask your questions, but I don’t make statements to fake news factories.*”²¹² By labeling *Index* in this way, Orbán signaled to public officials that critical outlets were unworthy of engagement, effectively legitimizing systematic exclusion.²¹³ Afterwards, government spokespersons and politicians adopted similar language, portraying independent media as unreliable, politically biased, and a danger to national interests.²¹⁴

In September 2025, the government-affiliated Digital Civic Circles²¹⁵ organized a mass event in Budapest, where photos of independent journalists were publicly displayed in the lobby under the label “top fake news producers.”²¹⁶ This stigmatizing display illustrated how smear campaigns moved beyond media narratives into physical spaces of political mobilization.

In October 2025, *Telex* and the Ján Kuciak Investigative Centre revealed that entities linked to the Sovereignty Protection Office had funded Facebook advertisement campaigns targeting independent journalists and NGOs with hostile narratives.²¹⁷ The investigation identified 193 sponsored ads published between 2024 and 2025, showing how state-backed online propaganda had become an integrated tool of intimidation and disinformation.²¹⁸

iii. Hate, Harassment, and Defamation of Individual Journalists

By 2020, smear campaigns had escalated to more extreme accusations. A government-aligned talk show linked to *PestiSrácok* falsely implied that a senior *Magyar Hang* journalist was a pedophile. The journalist initiated legal proceedings, and, in September 2022, the Budapest Court of Appeal ruled the allegations unlawful and ordered *PestiSrácok* to pay damages and issue a formal apology.²¹⁹ Despite this judgment, *Magyar Hang* and its staff remained frequent targets of orchestrated discreditation.²²⁰ At the same time, independent journalist Szabolcs Panyi, an investigative reporter with *Direkt36*, was a constant target of smear campaigns directed by government officials and pro-government media outlets. These outlets repeatedly questioned his credibility, accusing him of serving “*foreign interests*” or acting as “*an agent of foreign intelligence services*,” apparently because of his investigative reporting on corruption and surveillance.²²¹ In addition to these attacks, Panyi was targeted with Pegasus spyware in 2021.²²² The following year, far-right politician Barna Bartha of *Mi Hazánk* told supporters that “*people like [the*

independent journalist] Boróka Parászka should be hanged,” escalating years of threats she had faced after reporting on Hungarian media funding in Transylvania.²²³ The backlash forced Bartha’s resignation, but the episode underscored the normalization of violent rhetoric, particularly against women journalists.²²⁴

d. Strategic Lawsuits Against Public Participation (SLAPPs)

In Hungary, defamation lawsuits may be filed in parallel under both civil and criminal law. This enables Strategic Lawsuits Against Public Participation (SLAPPs), i.e., abusive lawsuits filed by a private party to silence critical speech, to be brought against journalists and independent media outlets. Before the Criminal Code was amended in 2023²²⁵, criminal laws, along with civil defamation claims, were frequently used by public officials to silence journalists and civil rights activists.²²⁶ Civil lawsuits based on personality rights, including the right to reputation and honor, remain widely used. Politicians and government-organized NGOs (“GONGOs”)²²⁷ initiate lawsuits against independent media outlets seeking rectification and compensation for alleged violations of their personal rights, including damages.²²⁸

Litigation brought against independent media outlet *Magyar Hang* was an example of a SLAPP.²²⁹ In 2019, in a series of articles, the portal reported on corruption issues that had emerged in a social care home operating in the countryside.²³⁰ The director and the heads of the regional and national institutions that maintain care homes retaliated by initiating five press rectification procedures against *Magyar Hang*.²³¹ They also launched criminal defamation procedures and a civil law lawsuit against the outlet.²³² Ultimately, *Magyar Hang* won all civil procedures, and the criminal procedure was closed without charges.²³³ In 2024, Prime Minister Viktor Orbán personally launched defamation lawsuits against several independent outlets after they cited an Austrian newspaper interview in which the CEO of Austrian supermarket company Spar criticized the Orbán government.²³⁴

Several first-instance courts dismissed the claims, while the Supreme Court of Hungary (“Kúria”) ruled against *Pécsi Stop*.²³⁵ In the *24.hu* case, the court also referred questions to the Court of Justice of the European Union on the applicability of the European Media Freedom Act.²³⁶

Alleged General Data Protection Regulation (GDPR) violations have increasingly become the basis for SLAPPs in Hungary. Since personal information and individual stories constitute the core material of journalism, the GDPR has far-reaching consequences for the work of the press.²³⁷ While the GDPR primarily targets misuse of data by public and private entities, it recognizes the need for special rules for journalistic activities. Article 85 of the GDPR requires Member States to strike a balance between data protection with freedom of expression, allowing for specific derogations in the media sector.²³⁸

However, the Hungarian government failed to adopt legislation that establishes exemptions for the journalistic processing of personal data.²³⁹ As a result, journalists are treated as standard data controllers, subject to procedural obligations that are incompatible with the realities of investigative journalism, such as notifying data subjects before publication or conducting pre-publication data assessments. This legislative omission created a constitutional loophole: a legal grey area that effectively shifts the burden of balancing these fundamental rights onto courts and administrative bodies. In doing so, the state abdicated its positive obligation to safeguard press freedom, leaving journalists vulnerable to inconsistent interpretations and abusive litigation under data protection law. According to research and interviews with journalists in 2023, one-third of the 34 independent media outlets had already experienced GDPR-based SLAPPs in Hungary.²⁴⁰ Among these, the GDPR-based lawsuit brought by a wealthy business group against *Forbes Hungary* became emblematic, illustrating how data protection law has been weaponized to silence reporting on influential business figures and matters of public interest.²⁴¹

The European Union has recognized SLAPPs as a growing threat to press freedom. The Anti-SLAPP Directive (2024)²⁴² obliges Member States to establish safeguards against manifestly unfounded cross-border lawsuits, while the Commission Recommendation (2022)²⁴³ provides guidance on tackling domestic cases. However, the Directive does not address GDPR-based SLAPPs, leaving data-protection claims outside its scope. Hungary has not thus far effectively implemented either the Directive or the Recommendation, and no national mechanisms exist to prevent or remedy abusive litigation against journalists.²⁴⁴

e. Unlawful Surveillance

Hungary has a comparatively strong legal framework for the protection of journalistic sources. The Freedom of the Press Act stipulates that journalists cannot be compelled to reveal their sources unless ordered by a court in the interest of justice or national security.²⁴⁵ The Criminal Procedure Act recognizes journalists' right to refuse testimony concerning confidential information, subject to judicial review.²⁴⁶ The Constitutional Court's 2011 decision further entrenched these protections, holding that the confidentiality of sources is a fundamental element of press freedom and democratic oversight.²⁴⁷ It clarified that compelling disclosure must meet strict tests of necessity and proportionality, and may only be applied as a last resort, when no other evidence is available and there is an overriding public interest.²⁴⁸ This interpretation closely mirrors the European Court of Human Rights jurisprudence under Article 10 of the European Convention on Human Rights.²⁴⁹

In contrast to laws relating to source protection, however, Hungary's regulation of surveillance, which could expose journalistic sources, falls far short of international standards. The legal framework governing Hungary's civilian intelligence services, including the Constitutional Protection Office, is set out in the National Security Act (NSA).²⁵⁰ The Act authorizes covert surveillance methods such as wiretapping, location tracking, and data collection

for national security purposes.²⁵¹ Crucially, it does not require prior judicial authorization. Instead, surveillance is approved by the Minister of Justice through a ministerial procedure, valid for up to 90 days and renewable.²⁵²

The European Court of Human Rights has repeatedly condemned this framework. In *Szabó and Vissy v. Hungary*²⁵³, the Court found that the lack of effective oversight violated Article 8 of the European Convention. This was reaffirmed in *Hüttl v. Hungary* (2022)²⁵⁴, concerning the likely surveillance of a human rights lawyer, and most recently in *Csikós v. Hungary* (2024)²⁵⁵, where the Court held that Articles 8 and 10 were violated when a journalist's phone was intercepted during a criminal investigation. The Court held that the surveillance measures lacked sufficient judicial oversight and failed to include adequate procedural safeguards capable of protecting the confidentiality of journalistic sources.²⁵⁶ It reaffirmed that such deficiencies created a chilling effect on press freedom and fall short of the Convention's requirements for the protection of journalistic activities in a democratic society.²⁵⁷

The inadequacy of Hungary's system for regulating surveillance was further confirmed in 2021, when investigative media outlet *Direkt36* reported that journalists, lawyers, opposition figures, and even senior officials were targeted with Pegasus spyware.²⁵⁸ Pegasus enables full covert access to a phone's content, including messages, calls, and camera functions, making it a severe violation of press freedom and source protection. The *Direkt36* investigation also uncovered that the Hungarian government had purchased the spyware through an intermediary company linked to the Interior Ministry, confirming direct state involvement in its acquisition and use against journalists and other public figures.²⁵⁹ Although the National Authority for Data Protection and Freedom of Information (NAIH) launched an investigation into Pegasus use, it concluded by finding no unlawful data processing, leaving key questions unanswered.²⁶⁰

Following these revelations, the European Parliament established the Committee of Inquiry on Pegasus (PEGA) to investigate the use of Pegasus and equivalent surveillance spyware.²⁶¹ The Committee's report concluded that the Hungarian authorities had indeed deployed Pegasus against journalists, lawyers, and opposition figures.²⁶² The report found that Hungary's lack of independent oversight and judicial control over surveillance measures breached EU values and fundamental rights.²⁶³

f. Cyberattacks

Since 2021, Hungarian independent media outlets have increasingly come under cyberattacks. These include, in particular, distributed denial of service (DDoS) operations, which overwhelm servers with artificial traffic and render websites inaccessible at crucial moments.

Hungary's first national opposition primary election in October 2021 was repeatedly disrupted by DDoS attacks, rendering voting platforms inaccessible and forcing organizers to extend deadlines.²⁶⁴ Around the same time, several independent media sites—such as *Mérce*, *24.hu*, and *444.hu*—were also forced offline due to similar attacks.²⁶⁵ Between April and August 2023, over 40 Hungarian independent media outlets suffered a series of sustained DDoS attacks.²⁶⁶ According to investigations by Qurium Media Foundation and the International Press Institute (IPI), these incidents were not random but appeared to be part of a coordinated operation.²⁶⁷ On September 1, 2023, the International Press Institute's website was rendered inaccessible for three consecutive days following a major DDoS incident.²⁶⁸ This attack followed the IPI's public reporting on earlier cyberattacks against Hungarian media, suggesting that it was a retaliatory in nature.

While it has not been fully determined who is responsible for the attacks, it is concerning that they have consistently targeted independent watchdog media outlets. In July 2025, Hungarian police arrested a 23-year-old suspect over DDoS attacks on independent media and the IPI. Devices with evidence were seized, but no charges appear to have been filed.²⁶⁹

V. Conclusion

Over the past fifteen years, Hungary has evolved from a pluralistic media system into one of the worst examples of media capture within the European Union.²⁷⁰ The Hungarian government has engaged in a sustained assault on media freedom and pluralism as part of its systematic effort to undermine democracy and the rule of law. Media regulation, ownership, and state advertising are all concentrated in the hands of the government or its allies, while independent media face the weaponization of laws, targeted exclusion, legal harassment, and smear campaigns. Sustained by public solidarity and professional integrity, some independent media outlets have managed to survive, but their continued existence remains precarious. Repressive measures directed at independent outlets are intensifying, as exemplified by the Sovereignty Protection Office's recent targeting of independent media outlets.

Reversing the decline of media freedom will require not only legal reform, but also political will, independent institutions, and the effective enforcement of European standards. In order to restore media pluralism and freedom, successive governments will have to undertake specific measures to ensure a legal, political, and economic environment that enables journalists and media outlets to work freely, independently, and without political interference.

If the Hungarian government remains unwilling to engage in reform, the European Union's efforts to ensure media freedom and pluralism and, more generally, the rule of law, will assume crucial significance. Effective enforcement mechanisms will be necessary to secure these goals. The European Commission's recent decision to open an infringement procedure against Hungary for violations of the European Media Freedom Act and the Audio-Visual Media Services Act is a step in the right direction.²⁷¹ However, it is unlikely to bear fruit prior to the forthcoming April 2026 parliamentary

elections, when access to reliable and unbiased reporting will be critical for keeping voters informed. The European Union can and should take several additional measures in support of media reform. Rebuilding media pluralism in Hungary is vital not only for the nation's democracy, but also for the credibility of the European Union's commitment to its own founding values.



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¹Bea Bodrogi is a media lawyer for three independent Hungarian media outlets (*Telex*, *Direkt36*, and the former *Szabad Európa/RFE–RL Hungary*). These professional engagements did not influence the research, analysis, or conclusions presented in this report.

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