



# HUNGARY: ELECTIONS AND THE RULE OF LAW

 Elections and  
 the #RuleofLaw

**Electoral framework:** Concerns persist as to changes to the electoral framework introduced in the run-up to the 2022 elections. The Hungarian government has effectively gerrymandered the single-member constituencies to help the ruling party win the votes. The Hungarian diaspora abroad has been massively franchised and incentivised to vote for Fidesz thanks to major funding programmes for Hungarian minorities in nearby countries. The OSCE Election Observation Mission deployed to the country has been criticised by the government, which in turn has invited a Polish conservative NGO “Ordo Iuris” to carry out a parallel observation.

**The rule of law and EU:** Hungary is one of two EU Member States subject to the Article 7 Treaty on the European Union rule of law procedure over concerns regarding the state of the rule of law in Hungary. The country has been subject to several infringement procedures launched by the European Commission and multiple rulings by the Court of Justice of the European Union finding elements of the Hungarian legal framework to be contrary to EU law. Currently, the EU is withholding the approval of Hungary’s covid-19 recovery plan for financing post-pandemic recovery over issues related to the rule of law and corruption in the country.

**Corruption:** Hungary faces a high level of corruption, with several major cases of misuse of EU funds being investigated by OLAF, the EU’s auditing service. Hungary has consistently seen the highest rate of misuse of EU funds in OLAF’s annual reports in recent years. Some of these cases have been linked to members of the ruling party Fidesz and their families. The application of public procurement rules has been narrowed, paving the way to a heightened risk of corruption.

**Independence of the judiciary:** Since taking power in 2010, the current ruling party has drastically altered the Hungarian judiciary. The Supreme Court and the Constitutional Court are widely seen as under the political control of the ruling party, and a new institution tasked with organising the Hungarian judiciary – the National Office for the Judiciary – has been established in parallel to the existing National Judicial Council. In 2016, the European Court of Human Rights found that Hungary violated the rights of András Baka, the former president of the Supreme Court, who was dismissed after speaking against the changes to the judiciary. Hungary has refused to implement that judgment.

**Media freedom:** Most of the private media in Hungary are controlled by entities closely linked to the ruling party and are overseen by the Central European Press and Media Foundation, an entity closely linked to Prime Minister Viktor Orbán. Major concerns persist as to the independence and impartiality of state media regulators. Several private media outlets have been forced out of business or taken off the air, leading to almost the entire media landscape being either state-owned or controlled by allies of the government. The ruling party is abusing its media monopoly by skewing the public opinion in its favour.

**Ombudsman:** Hungary has an institution called the Commissioner for Fundamental Rights, envisioned to be an independent body tasked with protecting human rights in Hungary. Concerns persist as to the independence of this institution and its willingness to contest the government, as well as to its efficiency. In 2020, the Hungarian Equal Treatment Authority was merged into the Office of the Commissioner, raising questions as to the effective functioning of the anti-discrimination framework in the country.

## FURTHER READING

**Previous DRI analysis:**

[Removing the Cement from Hungary's Constitutional Edifice](#)  
[5 Facts on the State of Hungary's Democracy](#)

**Other relevant reports:**

[EU COM rule of law report on Hungary](#)  
[Eurobarometer on corruption](#)

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