Question for written answer E-002415/2025
to the Commission
Rule 144
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Subject: Protection of Hungarian citizens' fundamental rights in the context of biometric identification and surveillance at public gatherings

Recent reports suggest that a new Hungarian law may allow the use of facial recognition technology to identify individuals participating in public demonstrations banned by the government[1].

1. Can the Commission assess whether such use complies with the Artificial Intelligence Act's prohibition on real-time biometric identification[2], applying all legal safeguards and criteria, and confirm that post-remote identification cannot be used to bypass Article 5, which has already entered into force[3]?

2. Does the use of remote biometric identification in this situation bring additional risks to the fundamental rights and freedoms in the Charter of Fundamental Rights of the European Union, such as freedom of assembly and association, as enshrined in Article 12 of the Charter?

3. If the national authorities responsible for oversight are unable or unwilling to act

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1 Spike, J., 'Hungary's new anti-LGBTQ+ law bans Pride events and sparks protests', *Associated Press*, 19 March 2025, https://apnews.com/article/hungary-pride-ban-orban-lgbtq-rights-e7a0318b09b902abfc306e3e975b52df.

2 Article 5(1), point (c) and Article 5(2) of Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: http://data.europa.eu/eli/reg/2024/1689/oj).

3 Article 26(10) of the Artificial Intelligence Act.

‘independently, impartially and without bias’, as required by the Artificial Intelligence Act[4], will the Commission commit to taking action – including infringement proceedings if needed – to ensure that Hungarian citizens are effectively protected under the Artificial Intelligence Act and the Charter of Fundamental Rights?

Submitted: 16.6.2025

[4] As required by Article 70 of the Artificial Intelligence Act.