

(English version)

**Question for written answer E-001658/25
to the Commission**

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(24 April 2025)

Subject: Incompatibility of Hungarian constitutional amendment with EU law

With Section 13/A of the Right of Assembly Act and Amendment No 15 to the Constitution on the protection of minors, the Hungarian Government has imposed a ban on the LGBTIQA+ community from peaceful assembly and demonstration during Budapest Pride, and allowed for the use of facial recognition technologies during demonstrations.

In view of Articles 2, 3 and 7 TEU, CJEU judgment C-76/05 of 11 September 2007 and the position of the European Commission in Case C-769/22 EC v Hungary, where it is clarified that discrimination based on sexual orientation and gender identity in the enjoyment of the rights and freedoms guaranteed by the Treaties is contrary to EU law, can the Commission state whether it intends to trigger the article 7 TEU procedure against Hungary, for serious and persistent violations of the values guaranteed by Article 2 TEU?

Submitted: 24.4.2025

Answer given by Mr McGrath on behalf of the European Commission
(2 July 2025)

Equality and respect for human dignity and human rights are core values of the EU, enshrined in the Treaty on European Union (TEU) and the Charter of Fundamental Rights of the European Union.

The Charter sets out the rights to freedom of expression and to peaceful assembly and association. The Commission is committed to promoting and safeguarding these rights.

The Commission is concerned about any development that could put at risk the effective implementation of EU law and remains fully committed to addressing inequality and discrimination affecting lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ) persons as outlined in the LGBTIQ Equality Strategy 2020-2025 ⁽¹⁾.

The Commission is closely monitoring the situation in Hungary. It is thoroughly analysing the 15th Amendment to Hungary's Fundamental Law and accompanying legislation and the Law amending Act LV of 2018 on the right of assembly related to the protection of children, and amending the related laws, recently adopted by the Hungarian Parliament from the perspective of EU law.

In December 2022, the Commission referred Hungary to the Court of Justice of the EU over national rules that discriminate against people based on their sexual orientation and gender identity.

The Commission considers that such rules violate EU law, both single market rules and the fundamental rights of individuals, in particular of LGBTIQ people, as well as the common values at the core of the EU.

The case is still pending before the Court of Justice. A hearing on this case took place on 19 November 2024 and the Advocate General issued her opinion on 5 June 2025.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52020DC0698>.