

# MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

## APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2022

Country report: Hungary

Konrad Bleyer-Simon, European University Institute

Gabor Polyak, Eötvös Loránd University

Agnes Urban, Corvinus University of Budapest

**Research Project Report**

Issue -

June 2023



# TABLE OF CONTENTS

<b>1. About the project</b>	<b>4</b>
1.1. Overview of the Project	4
1.2. Methodological notes	4
<b>2. Introduction</b>	<b>6</b>
<b>3. Results of the data collection: Assessment of the risks to media pluralism</b>	<b>8</b>
3.1. Fundamental Protection (56% - medium risk)	11
3.2. Market Plurality (86% - high risk)	21
3.3. Political Independence (80% - high risk)	26
3.4. Social Inclusiveness (75% - high risk)	33
<b>4. Conclusions</b>	<b>40</b>
<b>5. References</b>	<b>43</b>
<b>Annexe I. Country Team</b>	
<b>Annexe II. Group of Experts</b>	

© European University Institute 2023

Editorial matter and selection © Konrad Bleyer-Simon, Gabor Polyak, Agnes Urban, 2023

This work is licensed under the Creative Commons Attribution 4.0 (CC-BY 4.0) International license which governs the terms of access and reuse for this work. If cited or quoted, reference should be made to the full name of the author(s), editor(s), the title, the series and number, the year and the publisher.

Views expressed in this publication reflect the opinion of individual authors and not those of the European University Institute.

Published by

European University Institute (EUI)

Via dei Roccettini 9, I-50014

San Domenico di Fiesole (FI)

Italy

ISBN:978-92-9466-442-6

doi:10.2870/703335



With the support of the Erasmus+ Programme of the European Union. The European Commission supports the EUI through the EU budget. This publication reflects the views only of the author(s) and the Commission cannot be held responsible for any use which may be made of the information contained therein.

# 1. About the project

## 1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool that is designed to identify potential risks to media pluralism in the Member States of the European Union and in Candidate Countries. This narrative report has been produced on the basis of the implementation of the MPM that was carried out in 2022. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

## 1.2. Methodological notes

### Authorship and Review

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire that was developed by the CMPF.

In Hungary the CMPF partnered with Konrad Bleyer-simon (European University Institute), Gabor Polyak (Eötvös Loránd University), Agnes Urban (Corvinus University of Budapest), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annex II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political independence of the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

### The Digital Dimension

The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digitally specific risk scores, and the report contains a specific

*analysis of the risks that related to the digital news environment.*

## **The Calculation of Risk**

*The results for each thematic area and Indicator are presented on a scale from 0 to 100%.*

*Scores between 0% and 33%: low risk*

*Scores between 34% and 66%: medium risk*

*Scores between 67% and 100%: high risk*

With regard to the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

## **Methodological Changes**

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. For the MPM 2023, no major changes were made to the questionnaire, except for the Indicators Transparency of Media Ownership, Plurality in Digital Markets and Editorial Independence from Commercial and Owners Influence (Market Plurality area), and Protection Against Disinformation and Hate Speech (Social Inclusiveness area). The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at <http://cmpf.eui.eu/media-pluralism-monitor/>.

In the Market Plurality area, the names of three Indicators have changed. The former indicator on "News Media Concentration" is now named "Plurality of Media Providers"; "Online Platforms and Competition Enforcement" has been renamed as "Plurality in Digital Markets"; "Commercial & Owners' Influence Over Editorial Content" has been renamed as "Editorial Independence from Commercial and Owner Influence".

**Disclaimer:** The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2023 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2023, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

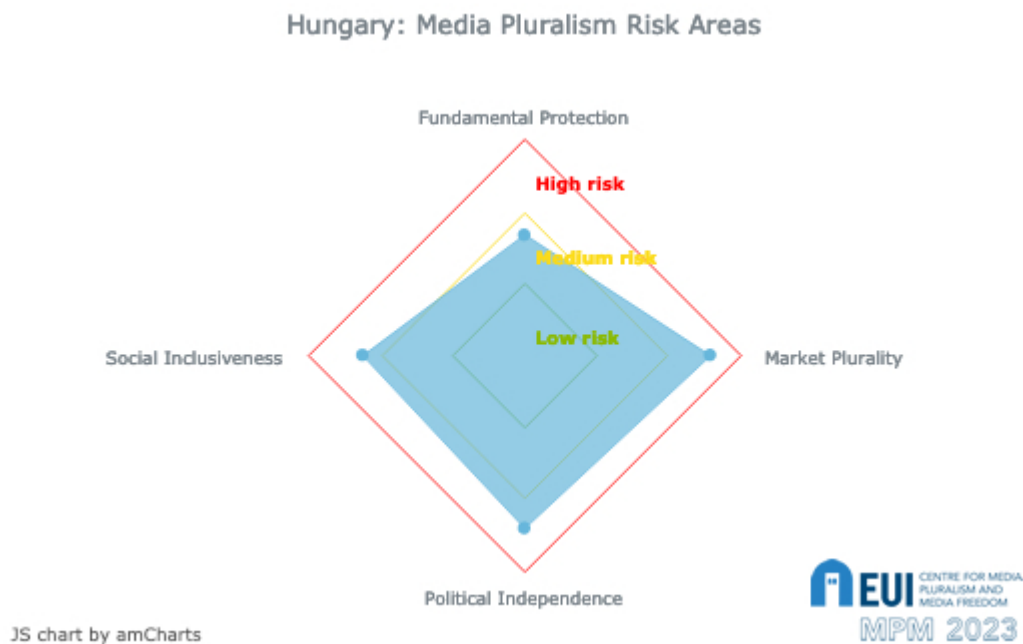
## 2. Introduction

- **Population:** According to the national census of 2022 (KSH, 2023a), Hungary had a population of 9,604,000 people, which is a 3.4% decrease compared to the census of 2011.
- **Languages spoken:** Hungary is mostly a monolingual country, 99% of the population speaking Hungarian as their first language.
- **Minorities:** From an ethnic point of view the country is mostly homogeneous. According to the census of 2011, 16% of the respondents claimed to be from another ethnicity than Hungarian. Act CLXXIX of 2011 on the rights of nationalities lists 13 acknowledged nationalities in Hungary: Armenian, Bulgarian, Croatian, German, Greek, Polish, Roma, Romanian, Ruthenian, Serbian, Slovak, Slovene and Ukrainian. The largest ethnic minority is the Roma, estimated as 3.1% of the total population (Tóth & Vékás, 2014).
- **Economic situation:** According to the European Commission's Economic forecast for Hungary, real GDP was estimated to have expanded by 4.9% in 2022, with 15.3% year-on-year inflation. In the last quarter of 2022, as well as in the year 2023, a decline in economic activity is expected due to rising energy prices and decreasing domestic demand. In the third quarter of 2022, the employment rate in Hungary was at 74.6% and unemployment was 3.8% (KSH, 2023b).
- **Political situation:** Hungary is a parliamentary democracy, but analysts and researchers caution for the past decade about a trend of democratic backsliding in the country, which led some experts and political actors to label the country a hybrid regime or a competitive authoritarian system, rather than a full-fledged democracy (this was reiterated by the European Parliament decision T9-0324/2022). From 2010 the right-wing/populist Fidesz- KDNP (Alliance of Young Democrats- Christian Democratic People's Party) coalition has been in power, winning four national elections consecutively in 2010, 2014, 2018 and 2022. In all four cases, the government gained a two-third majority in Parliament. The Prime Minister has been since 2010 Viktor Orbán. Following a set of primaries in 2021, most opposition parties formed a united front for the April 2022 national election. While some polls in late 2021 predicted a close race, Fidesz got 54% of the votes on party lists and won in 87 out of the 106 constituencies on 3 April 2022, thereby gaining another 2/3 majority. In addition, the extreme far-right Our Homeland Movement (Mi Hazánk Mozgalom, a party that is on many issues supportive of PM Viktor Orbán's government) has also managed to pass the 5% threshold and is represented with six members in Parliament. There are no elections planned in 2023, but some campaign activities for the 2024 municipal and European elections might be expected in the second half of the year.
- **Media market:** The Hungarian media market consists of a mix of public and private media. Since the early 1990s, the market used to be characterised by a high level of political parallelism, party-colonisation and instrumentalisation according to the duopolistic political economy of the political right and the left. As the political right gained significant power in the past years, most market actors, even privately-owned, formally independent outlets are controlled largely by the government, and not by different parties, or business interests. Due to this dichotomy, we differentiate in the report between pro-government (government-aligned) media and independent media – taking into consideration that many forms of dependency can exist (market, owner, audience, etc.) “independence” in this context refers to independence from the government. Even among outlets independent of the government, we find media that have financial connections to political actors. Trust in news media and journalism is among

the lowest in Europe (DNR, 2022); and the audience is polarised, meaning that a sizable segment of media audiences consume media according to their political preferences (Polyák-Urbán-Szávai, 2022). Internet penetration in Hungary is high at 90.5% (Statista, 2022a), and the proportion of regular internet users is 89% (KSH, 2022c), which is the same as the EU27 average. Online media and social media intermediaries are the most important information sources, but television still plays a key role in the news ecosystem (DNR, 2021). There are 5.4 million Facebook and 3 million Instagram users in the country; 83% of internet users regularly visit Youtube (Statista, 2022b); 37% of adult members of generation Z use TikTok, but the usage rate is much lower in older generations (Statista, 2021); other social media platforms, such as Twitter are not common.

- **Regulatory environment:** The Hungarian media's main regulatory body is the Media Council, an autonomous decision making body within the convergent regulatory body, the National Media and Information Communications Authority (NMHH). The Media Council is guarding over the rights and stipulations laid down in the Media Act (Act CLXXXV of 2010 on Media Services and on the Mass Media) and the Press Freedom Act (Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content).
- **COVID-19:** Hungary was one of the countries hardest hit by the pandemic, by the end of 2022, the number of reported COVID-19-related deaths has reached 48,500. In the year 2020, many media outlets were affected by a COVID-19-related decline in advertising, but most of them had recovered by the year 2021. The government did not provide subsidies to news media in the context of the pandemic. COVID-19 disinformation was widespread in the country, like in most other European countries.

### 3. Results of the data collection: Assessment of the risks to media pluralism



Since late 2010, when Viktor Orbán’s government passed its new media laws, Hungary’s media landscape started registering a number of newly emerging problems related to media freedom and pluralism. As the Media Pluralism Monitor (MPM) country reports of the past years show, the risks have been steadily increasing in the country due to restrictive regulation and increasing interference in the media market by the government and government-aligned actors. The laws concerning media are increasingly ambiguous, access to information is made harder, while the media market is distorted by media capture through ownership by government-aligned owners and by the unfair allocation of state advertising – just to name a few examples.

In the MPM2023, three areas scored high risk: Market Plurality, Political Independence and Social Inclusiveness. At the same time, Fundamental Protection registered a medium risk score. This year’s assessment has benefited from a deeper legal analysis than previous rounds; as such a detailed assessment of the risks in legal variables resulted in higher scores than recorded in past years. Part of the report’s legal assessment is based on published pieces of work on Hungarian media regulation by one author’s work, mainly in the context of Mérték Media Monitor (see Polyák, 2015; Mérték, 2019a; Mérték, 2021a; Mérték, 2021b).

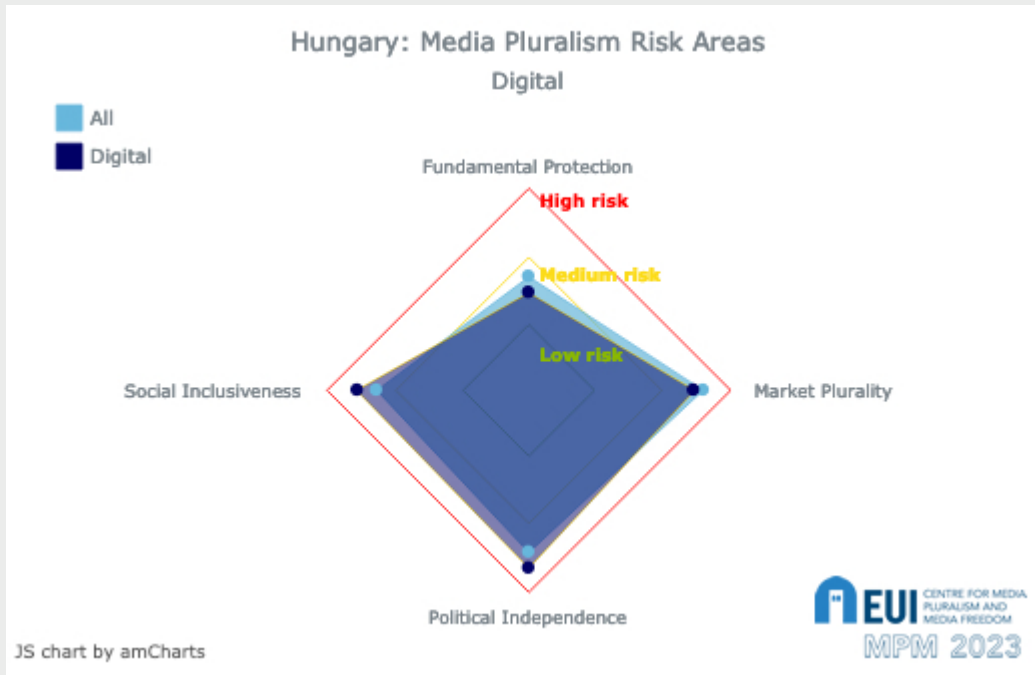
As a positive development, we can mention that in 2022 Parliament made some important positive changes to the text of Act CXII of 2011 on the right of informational self-determination and on freedom of information as part of the Commission’s rule of law conditionality process, as such, access to information may become somewhat easier than in the past years, but the process is still more restrictive than in the years prior to 2015. At the same time, we have to point towards a number of concerning developments as well. After the abusive surveillance of journalists with the Pegasus spyware, neither the National Authority for Data Protection and Freedom of Information nor the prosecutor’s office found any wrongdoing. That is because national law made the surveillance possible, even though the surveilled people were not involved in illegal activities – thus, the current legal environment allows for a serious infringement of fundamental rights. The rising inflation has increased the risk for the viability of media – some news outlets were closed or turned into online-only publications. Even some government-aligned news media ceased operating following the national election of April 2022.



- **Media regulatory authorities and bodies:** The Media Act of 2010 asserts the independence of the national regulator, the National Media and Info-communications Authority (NMHH) and its administrative organ the Media Council; as such, the election of members is formally a parliamentary procedure. However, in practice, all personal decisions in the Council are made by the governing party in Parliament. The head of the NMHH is appointed by the President of the Republic on a proposal from the Prime Minister, and acts also as the head of the Media Council. The current president of the NMHH and head of the Council is András Koltay who was elected with a 9-year term. The European Audiovisual Observatory's publication "The Media Regulatory Authorities in Europe" mentioned deficiencies in the Media Council's independence, pointing out that "vague and unfounded application of the law exemplified non-compliance with rule of law requirements and insufficient protection of fundamental rights of citizens". It further mentioned that "decisions regarding radio frequency tenders were rendered without debate or opposing votes" (European Audiovisual Observatory, 2019).
- **Transparency of media ownership and governmental interference:** There are no detailed rules on transparency in the ownership structure of media companies. Transparency is partly ensured by publicly accessible registers kept by the media regulator NMHH, but there are no requirements to disclose the ultimate owners. Political or governmental influence can often be observed based on media ownership – a prime example is KESMA (the Central European Press and Media Foundation – CEPMF, established in 2018), which is the largest media conglomerate in Hungary, possessing nearly 500 news outlets (about the foundation and the associated risks, see Brogi et al., 2019).
- **Framework for journalists' protection:** Many Hungarian journalists work under precarious conditions; last year, the situation of freelancers worsened as the rules of the so-called KATA small business tax system were changed. Hungarian laws do not include any regulation against the online harassment of journalists, nor is there a framework against strategic lawsuits against public participation (SLAPPs). While physical violence against journalists hardly ever occurs in Hungary, online harassment is common, especially against female journalists (Botás, 2021 and Rutai, 2021). The aforementioned use of the Pegasus spyware against investigative journalists is an extreme intrusion into their private sphere and can have a significant chilling effect on journalistic sources.

To sum up, there are numerous risks in the Hungarian media environment and improvements are rarely observed (this year the only notable one being the above mentioned improvement in the law on freedom of information). Following the detailed assessment of the state of media pluralism related to the MPM's four areas, we will provide some recommendations in the conclusion that could help overcome some of the current challenges the Hungarian media system, media workers and audiences are facing.

## Focus on the digital environment



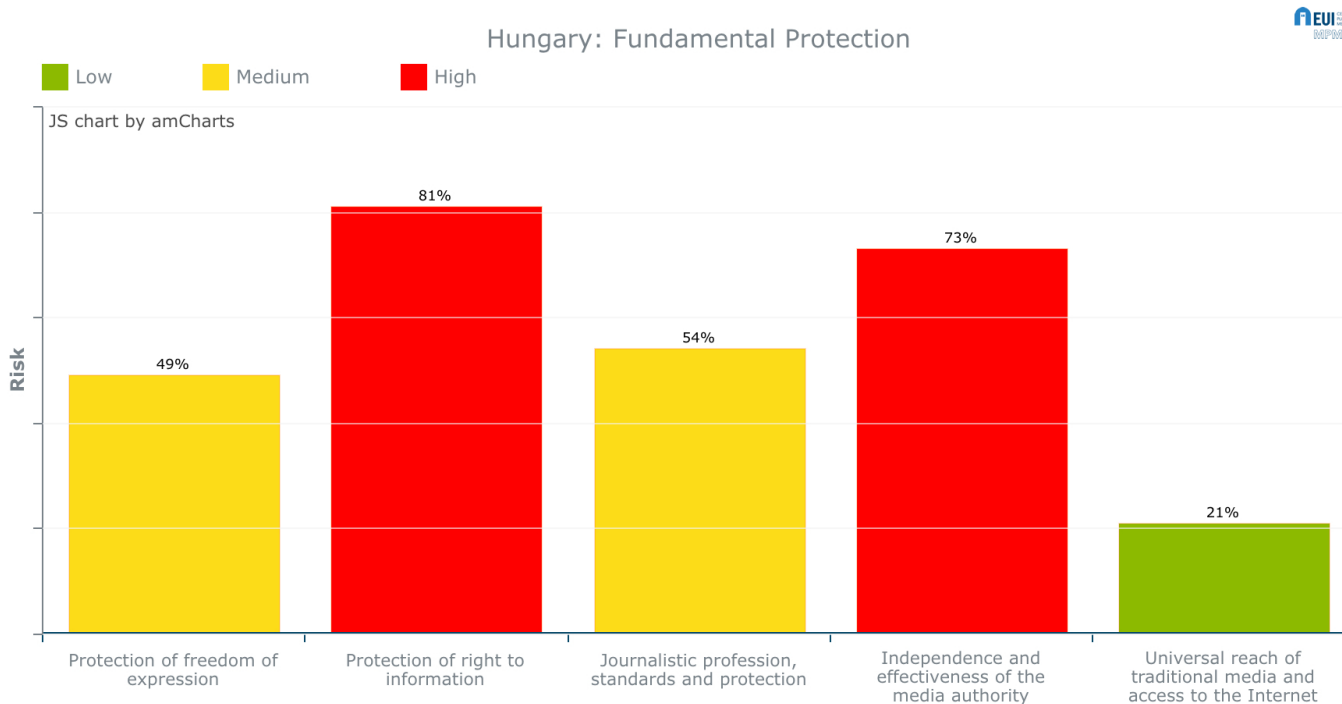
In the MPM2023, the digital scores are in the same risk band as the overall scores. The risks of the remaining areas are the same as in the overall assessment: medium risk for Fundamental Protection and high risk for Market Plurality Political Independence and Social Inclusiveness. Regulation is largely in line with offline regulation, digital-specific laws in the context of media are rare. While there are numerous striving independent news outlets, the dominant market share of online platforms makes it hard to come up with a sustainable business model. While political campaigns in news media (both online and offline) are relatively well-regulated, there is still no regulation for online campaigns on social media.

The past years have seen a change in digital infrastructure ownership, which bears serious risks as the majority of the market will be under the control of the governing party's interest groups. 4iG, a telecommunications and IT company with good connections to the government has acquired the digital service provider Digi (and, through it another major company, Invitel) thereby gaining significant broadband infrastructure. The same company also gained a stake in the mobile operator Yettel, as well as in the broadband and mobile operator Vodafone's Hungarian interest (in the latter case the minority stake being acquired by the state).

Disinformation and hate speech remain problems in the digital environment – but they are not exclusively online phenomena, given that government-aligned actors are oftentimes sources or amplifiers of these messages through traditional media.

### 3.1. Fundamental Protection (56% - medium risk)

The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The area of **Fundamental Protection** scored medium risk at 56%. The two highest scoring indicators were the Protection of right to information and the Independence and effectiveness of the media authority – both high risk. Some problems that need to be highlighted: the process of obtaining information from official sources is still burdensome for journalists, in 2022, the Whistleblower Directive was not yet transposed into national law and the national regulator is under governmental control.

#### Protection of freedom of expression (49% - medium risk)

The text of the Hungarian Constitution, the so-called Fundamental Law (Article 9), which entered into force in 2011, includes freedom of expression and freedom of the press, in line with European human rights documents and building on previous decisions of the Hungarian Constitutional Court. However, on two points, this article also shows that the two-thirds Fidesz majority is subordinating the constitution to its own political goals. This is made possible by the fact that amendments to the Constitution require a two-thirds majority of Members of Parliament (MPs). In the event that the governing party has a two-thirds parliamentary majority (as it has been the case after every national election since 2010), it can amend the Fundamental Law as it wishes without any further procedural constraints.

One notable example is Article IX(3) of the Fundamental Law, which provides that media service providers (television and radio) may only publish political advertising free of charge during election campaigns. In doing so, the Parliament overruled the Constitutional Court's Decision No 1/2013. (I. 7.) AB. In this decision, the Constitutional Court examined the new Electoral Procedures Act adopted in 2012 and found unconstitutional the regulation that would have prohibited the publication of political advertisements on commercial radio and television stations in their entirety during the campaign period. In the same year, the

Parliament amended the Fundamental Law and, while not imposing a general ban on electoral advertising, in practice completely banned electoral advertising from commercial media in 2014, and partially banned it in subsequent elections, by stipulating that media service providers could only publish electoral advertising free of charge.

Hungary ratified the European Convention on Human Rights without reservations. However, the country has shown serious shortcomings in enforcing the rulings of the European Court of Human Rights. The Hungarian Helsinki Committee cites data from the European Implementation Network (EIN), which shows that Hungary has not yet enforced 81% of judgments in leading cases in the last 10 years (Magyar Helsinki Bizottság, 2021).

Some laws clearly define the limits of freedom of expression. These are the laws with a long history and a broad judicial practice. Above all, the protection of personality rights under civil law can be seen as a clear and legitimate limitation. At the same time, the criminal law provisions on defamation and libel are still not accompanied by a mature case law that would allow the limits of freedom of expression to be clearly defined in all cases (after our data collection, in April 2023, members of the governing party submitted a proposal that would abolish prison sentences for libel and defamation in the case of journalists, which might have an impact on the risk in the next years, see Presinszky, 2023 and Nagy, 2023). The regulatory solution of criminalisation of hate speech is particularly problematic and has not been the subject of clear practice since the 1990s. Rather, this has led to a situation where no convictions are handed down in such cases because the police or prosecutors do not allow cases to proceed to court. However, the few judgments available are contradictory and unclear. The rule in the Civil Code that allows members of a community to go to court for a communication that is offensive to the community as a whole creates serious legal uncertainty. This has already been used as a basis for winning personality lawsuits by far-right politicians who felt offended as members of the Hungarian nation by a satirical publicist's article (Bárd, 2021).

The lack of clarity of the norm was and remains the main criticism of the criminalisation of scaremongering adopted by Parliament during the COVID-19 pandemic (Act XII of 2020 on the containment of coronavirus). Although the Constitutional Court did not find the wording of the law unconstitutional, it still contains vague terms such as communications that hinder or frustrate the "effectiveness of the defence" against a given emergency. This vague wording had a demonstrable chilling effect on medical workers and other professionals during the pandemic, who were reluctant to comment to journalists (see Bleyer-Simon, 2021, Polyák, 2020, MÚOSZ, 2020, TASZ, 2020).

One of the main points of critique of the media laws adopted in 2010 was and remains that the rules on media content are not clear and are often even ambiguous (Article 19, 2011; IFLA, 2011; Haraszti, 2011; OSCE, 2011; Venice Commission, 2015). The Media Council's practice on these rules is not extensive, consisting of only a few decisions per year. The available decisions do not provide general standards to which media service providers can clearly adhere, such as the protection of human dignity, the prohibition of hate speech in the media or the requirement of balanced information.

From the above description of the legal environment for expression, it can be concluded that the limits of expression are not clearly defined, and therefore all speakers take risks with their statements. This is illustrated by the fact that during the COVID-19 pandemic, two Facebook users were arrested by the police on suspicion of the aforementioned crime of spreading rumours (scaremongering), which they allegedly committed through the publication of Facebook posts (Spike, 2020a and 2020b). No charges were ultimately brought, but the two cases still had a serious chilling effect on ordinary users.

Forms of expression such as peaceful protest are largely free. The authorities do not obstruct demonstrations and there are no clashes between demonstrators and police. However, at some occasions, this political expression is countered by the authorities with disproportionate measures. Participants of demonstrations, including journalists covering the event, have been fined several times for minor misdemeanours, such as walking off the pavement after the demonstration (Klubrádió, 2022), what was seen as making improper use of the roadway. During the COVID-19 pandemic, assembly was completely forbidden, and for this reason, drivers protesting by honking their horns in their cars were fined by the police (see: Horn, 2020; Sereg, 2022).

The strictest restrictions apply to parliamentary expression. On the one hand, journalists are only allowed a few square metres in the Parliament building to ask questions to MPs, and in case they are found to be reporting from outside this area, the Speaker can ban them from the House (on the limited access of journalists to politicians in the Parliament building, see Smuk, 2019, and the ECHR case *Mándli and Others v. Hungary* - 63164/16 Judgment 26.5.2020). At the same time, opposition politicians' political expression is also severely restricted. Opposition members are not allowed to use any banners or symbols, the Speaker will take away their right to speak if they use strong expressions, and will impose fines of several million of forints (thousands of euros) if they break the rules. The rules adopted by the Speaker have not been changed in recent years, despite the European Court of Human Rights ruling in multiple cases (ECHR case *Karácsony and Others v. Hungary* - 42461/13, Judgment 16.9.2014; ECHR case *Szél and Others v. Hungary* - 44357/13, Judgment 16.9.2014; further see Kovács, 2021; Nagy, 2022a) that such restrictions on the freedom of expression of journalists and the opposition violate the European Convention on Human Rights.

### **Protection of right to information (81% - high risk)**

Freedom of information is guaranteed by the Fundamental Law (Article VI), and the detailed rules for access to data of public interest are laid down in Act CXII of 2011 on the Right to Informational Self-Determination and Freedom of Information.

Since 2015, access to data of public interest has been severely restricted (Mérték, 2019b). Due to changes in the law, information requested had to be paid for, requests for data could not be made anonymously, data could be kept secret indefinitely on the grounds that they are preparatory to governmental decision-making, and copies of documents of public interest protected by copyright could not be requested by the public and by journalists. During the Corona pandemic, the government extended the deadline for complying with information requests from 15 to 45 days, with the possibility of extending them by a further 45 days. The biggest problem, however, is that data controllers refuse most information requests, leading to years of litigation.

In 2022, Parliament made some important positive changes to the text of Act CXII of 2011 on the right of informational self-determination and on freedom of information as part of the Commission's rule of law conditionality process (see TASZ, 2022 and NAIH, 2022a). Information requests are once again free of charge (only the costs of making copies can be charged), copies of documents of public interest protected by copyright law can once again be requested, and new rules speed up related litigation. Also, the 15+15 day time limit for fulfilling an information request has been restored. However, the rules still contain more restrictions than prior to the year 2015, such as the prohibition of anonymous requests, renewed secrecy of pre-decisional data. Moreover, there is no compulsion for data controllers to make the refusal to comply with an information request the primary practice, rather than prompt compliance (Láncos, 2019). There are two

types of remedies available against rejected information requests. First, the information requester can go to court, and second, she can initiate proceedings before the National Authority for Data Protection and Freedom of Information (NAIH).

The procedural rules on access to courts were amended by Parliament in 2022 as a condition for access to European funding. The new rules significantly speed up the judicial procedure, setting precise and tight deadlines for each procedural step. Only evidence that is already available at the hearing or that is immediately requested by the parties can be used in the proceedings. Everyone should therefore go to the first hearing prepared for all the issues to be proven. This can be to the detriment of the information requester, as in many cases it is not possible to know prior to the hearing what the reason for not complying with the information request was. The NAIH, as well as the trade secret holder, may intervene in the litigation. The latter may strengthen the position of data controllers. The position of the information requester is made more difficult by the fact that since 2018, representation by a legal representative is mandatory in forensic cases, otherwise the court will not hear the case. And it may still deter the data subject from going to court, as in cases when the information requester loses the case, the court will order the information requester to pay the data controller's legal fees.

Another way to seek a remedy is through the NAIH. A major advantage of this approach is that the procedure is free of charge and there is no obligation to hire a legal counsel. At the same time, the decision of the NAIH is not binding on the data controller, so the NAIH cannot compel the data controller to release the data in court. Another problem is that there is no real-time limit for the NAIH's procedure, as the time taken by data controllers to respond to the authority's notification does not count towards the authority's procedural time limit.

Remedies are therefore available, and in 2022 the rules of court procedure have largely changed in favour of the information requester, but it is very easy for data controllers to abuse the procedural rules, making a genuine remedy impossible (K-Monitor, 2022). A further risk is that there have been examples in recent years where the data controller has not handed over the data despite a final judgement, and enforcement proceedings have not even been successful.

The general experience of information requesters is that public authorities are not cooperative at all. Ignoring or refusing information requests is as common as sending poor-quality scanned, unreadable, and unsearchable pdf files. The 2022 amendment to the law has at least removed the possibility of abusing the possibility of charging for information requests, as the legislation no longer allows for the charging of costs over and above technical costs.

During the COVID-19 pandemic, journalists experienced difficulties obtaining information from official sources and were prevented from reporting from inside hospitals. While the Hungarian Supreme Court (Curia) ruled that the government's Department of Human Resources is not in the position to determine whether or not journalists should be given access to hospitals, a government decree was passed to keep journalists out (MAPMF, 2022a). There have been numerous examples when news outlets critical of the government were denied entrance to official press conferences - an example from the year 2022 is the PM's press conference on 21 December (MAPMF, 2022b).

The regulatory framework for whistleblowing is set out in Act CLXV of 2013 on Complaints and Notifications of Public Interest. Despite providing some protections, this law does not meet the detailed requirements set out in the EU-legislation in regard to the level of protection, the handling of the reports and the provided



incentives – not to mention the fact that the act only requires the application of a mandatory whistleblowing system in the public sector. Especially safeguards such as a reversed burden of proof, unbiased professional investigations, protection for private sector employees, providing protection even in the case of reporting to the public are serious shortcomings. In 2022, two years had passed since the expiry of the deadline, but Hungary had still not started transposing the EU Whistleblower Protection Directive (Átlátszó, 2022). In 2023, the European Commission referred Hungary (alongside seven other member states) to the European Court of Justice, for failing to transpose the Directive (European Commission, 2023). At the time of writing this report, on 11 April 2023, the Parliament transposed the directive, but the new act was criticised by civil society organisations for failing to harmonise perfectly the directive and to provide the necessary protections for whistleblowers (K-Monitor, 2023).

### **Journalistic profession, standards and protection (54% - medium risk)**

Access to the journalistic profession is open for everyone, but precarious working conditions impact the viability of the profession. In her research on the job prospects of early-career journalists, Gödri (2021) found that there is a lack of proper journalistic training and structured internship programmes for a new generation of journalists, while experienced professionals perceive that there is a lack of job opportunities for their younger counterparts. A lack of professionalism, failing adherence to journalistic norms, and high political parallelism are described in earlier research, among others by Bajomi-Lázár (2013 & 2017), Sipos (2013) & Vásárhelyi (2012).

Art. 8 of the Media Act assigns a key role to journalistic associations and trade unions; they should be respected when the law is applied. However, in practice, professional trade unions and associations (the largest is MÚOSZ, the National Association of Hungarian Journalists with around 5,000 members) are weak and have no impact on the profession. Very few ethical positions are adopted, and communication between these bodies and the media is highly incidental, even in the case of non-government-aligned media. The membership is rather low in these organisations.

Threats to press freedom in Hungary do not include physical violence against journalists. Non-physical attacks are, however, a regular occurrence, some of them criminal, others unfair and unethical. One of the most important examples of these attacks is the anti-Semitic poster campaign against Gábor Miklósi and András Dezső in 2019. On the posters, the two journalists were depicted in front of an Israeli flag with the slogan “We are from across the border!” (RSF, 2019). No action has been taken against the posters; nor have the journalists themselves claimed any action. At the time of the 2022 election campaign, journalists and NGO workers were tricked into fake job interviews (Horn, 2022), the manipulated details of which were then disseminated by the pro-government media as an expose of the “Soros network”. This was a well-organised covert operation with considerable resources behind it. No legal action was taken, nor were any charges brought by those involved. It is therefore clear that those involved do not believe that it is worth pursuing legal action against such attacks and that the authorities are not proactively seeking legal options. In 2022, Mapping Media Freedom reported two cases of attacks against journalists: a far-right blog “suggested that all journalists at one of Hungary’s leading independent news platforms, 444.hu, could easily be beaten to death” (MAPMF, 2022c) and a reporter of the pro-government *Hír TV* “was pushed off a platform by a protester while he was speaking live from a protest in central Budapest” (MAPMF, 2022d). Online bullying and harassment (often of a sexual nature) is common, especially in the case of female journalists (Tófalvy, 2017, see also Botás, 2021 and Rutai, 2021). A politician of the far-right Our Homeland Movement publicly expressed regret that the journalist Boróka Parászka could not be “eliminated” by hanging (MAPMF, 2022e). Diplomatic cables obtained by the investigative newsroom *Direkt36* prove that Hungarian embassies closely followed the activities of Hungarian journalists abroad and reported to the

Ministry of Foreign Affairs and Trade on the events they attended, as well as possible articles they authored in foreign media (Panyi, 2022).

In judicial practice, the protection of the informant is most often raised in cases of personality rights and corrections, where the court respects the confidentiality of informants, but often places the burden of proof on journalists. Journalists are obliged to present other evidence or, in the absence of other evidence, journalists lose the case. Court practice is inconsistent.

The EU's Anti-SLAPP Recommendation had no impact on Hungarian lawmaking so far. There is no measure in Hungary with the stated aim of preventing SLAPPs (strategic lawsuits against public participation), and it is not possible for courts to dismiss vexatious claims. Still, in practice, courts understand that public figures need to tolerate criticism related to their work (and Art. 2(4) of the Civil Code explicitly orders so). Defendants of SLAPPs can countersue if the case has affected their legal rights and caused damages to them. SLAPP cases are present in the country, even if not in a very high number. In the past years, data protection (among others the enforcement of GDPR, see Detrekői, 2020) has been a common claim for SLAPP cases against journalists – this either manifested itself in court injunctions to prevent publication or in complaints to the National Authority for Data Protection and Freedom of Information (NAIH). The most famous cases are related to the producers of the Hell Energy Drink, who issued an administrative complaint procedure against the Hungarian edition of *Forbes* for including the owners of the company in its list of wealthiest people in Hungary, and petitioned for an injunction against the political weekly *Magyar Narancs*. In the case of *Forbes*, an issue of the magazine had to be recalled while *Magyar Narancs* only managed to publish a redacted version of its investigative article about the company owners (leaving parts of the page blank to signal the missing content). In 2022, NAIH launched an investigation into investigative journalist Szabolcs Panyi, as the storing of the telephone number of a secret service officer was considered an act of illegal data management (MAPMF, 2022f). In the same year, Endre Varga, the CEO of Hungarian media outlet *Index.hu* filed a legal complaint against the industry publication *Média1* for violating his privacy rights by illustrating an article about his appointment as head of an industry association with an otherwise publicly available photo of him (MAPMF, 2022g).

Hungary is the only EU country where the Pegasus spyware has been used by national authorities against journalists and media owners. The lack of safeguards against abusive surveillance is illustrated by the fact that there has been no official action or legislative change since the case came to light. The European Court of Human Rights already ruled in 2016 that Hungarian law does not provide sufficient guarantees against abusive surveillance (Szabó and Vissy v. Hungary 37138/14) – yet the state has done nothing to remedy the situation. The main problem is that surveillance is authorised by the Minister of Justice, who, as a member of the government, is not in a position to prevent abusive surveillance by the government. Moreover, it is almost impossible to seek redress once the surveillance has ended. In the Pegasus case, the following public bodies failed to act:

- The parliament's national security committee was first boycotted by pro-government MPs, later the materials of the subsequent session were classified until 2050.
- The Commissioner for Fundamental Rights did not deal with the complaints he received, despite a Constitutional Court ruling that the Ombudsman should investigate abuses by the secret services.
- The NAIH launched an investigation into the case, but found everything to be in order. The authority



was only concerned with compliance with Hungarian law, not whether the action disproportionately restricted the rights of those under surveillance or whether the law allowing unrestricted surveillance violates international law (see NAIH, 2022b).

- The prosecutor's office closed the investigation because under Hungarian law it is almost impossible to carry out surveillance that is punishable under the broad framework of Hungarian law (Ügyészség, 2022).

So while it is clear that the journalists and media owners concerned did not commit any illegal acts or any acts that could pose a risk to national security, their surveillance was not considered illegal because Hungarian legislation allows this, which seriously infringes fundamental rights (see Szabó, 2021).

### **Independence and effectiveness of the media authority (73% - high risk)**

The fact that the independence of the Media Council is severely limited can be demonstrated by the rules governing the election of its members, the powers of the Board and, above all, its practice.

The nomination of the President and members of the Media Council is not transparent at all. According to the Media Act, the four members are appointed by an ad hoc committee of the Parliament. Although each parliamentary party participates in this committee with its voting weight in the Parliament, in practice the decision is made by the governing party: the governing parties, which have a two-thirds parliamentary majority, also have a two-thirds voting share in this committee. This rule was adopted by Fidesz, which held a two-thirds majority, in 2010, so it is a response to a specific political situation. Even if the committee has to decide unanimously on the candidates in the first round, if it fails to do so, it will have to select candidates in the second round with a two-thirds majority. This procedure has been applied twice so far, as the mandate of the Media Council members is for an unprecedented nine years. Since only candidates loyal to Fidesz have a chance to be elected to the Council, political independence is not achieved, despite the formal guarantees listed in the law (Szalay, 2019).

The President of the Media Council is the person who is also the President of the National Media and Information Communications Authority (NMHH). The President of the NMHH is appointed by the President of the Republic on a proposal from the Prime Minister. The law provides for the Prime Minister to request proposals from professional organisations, but the PM is not obliged to take them into account. In the current political situation, the President of the NMHH is in practice selected by the Prime Minister acting alone. The President of the NMHH is elected by Parliament as President of the Media Council by a two-thirds majority. As there is no other candidate, this is a formal procedure.

Mónika Karas, former President of the NMHH, stepped down in 2021. This allowed Fidesz to elect a new chairperson before the 2022 parliamentary elections, in preparation for the possibility that Fidesz may not win another two-thirds majority in the parliamentary elections. This political risk has not been realised, but András Koltay, elected in late 2021, will remain President of the NMHH and the Media Council until 2030 (Haszán, 2021). Koltay said in an interview in early 2022 that the independence of the press was only a myth created by journalists, and argued that the concept didn't make sense from a legal point of view (Lampé, 2022).

The Media Act gives the Media Council strong powers to impose sanctions (Articles 186-189). For television and radio media service providers, the possible sanctions include the withdrawal of the right to provide media services, while for other media the most severe sanction is a fine. One of the most problematic

aspects of Hungarian media regulation is that the Media Council's powers of control and sanctioning extend to both the print and the non-audiovisual online press. In the case of these media, there is no constitutional justification for administrative supervision other than judicial enforcement.

The Media Law provides for the principles of gradualness and proportionality in the application of sanctions. These principles are also largely applied in practice, and the Media Council does not impose disproportionate and dissuasive sanctions. In many cases, it is the lack of procedures that is objectionable. Although the technical conditions are in place, the Media Council rarely initiates proceedings on the basis of its own monitoring activities. At most, it monitors a few specific types of programmes, mainly reality shows. (In this domain, the right-wing Observatory of Journalism – OJIM found that the sanctioning of broadcast media was relatively balanced, as the aggregate value of 7 years of fines received by government-aligned TV2 and the rather government-critical *RTL Klub* was almost equal [Pongrácz, 2020].) In no case has the Media Council found government campaigns on television and radio to be unlawful.

The law imposes specific consequences for repeat infringements, i.e. infringements committed on the same legal basis and in the same subject matter within a year, regardless of the severity of the infringement. The *Civil Rádió* and *Klubrádió* cases (Martini, 2021) illustrate the serious risks of this. According to the law, the Media Council cannot renew the media broadcasting licence of a radio station that has repeatedly infringed after the expiry of the first term of the media broadcasting licence (previously seven years, now ten years). Both *Civil Rádió* and *Klubrádió* were excluded from renewal due to repeated minor data-related infringements. At the same time, the Media Council has not applied this strict rule to other radio stations, such as *Klubrádió*'s competitor, *Inforádió*. The practice is therefore openly discriminatory.

A further serious problem is the interconnection between the Media Council and the public service media, which makes it impossible for the Media Council to assess the content of the public service media impartially. The Media Council is the trustee of the Media Services Support and Asset Management Fund (MTVA), which exercises the employer's rights over the staff, the right to dispose of the assets of the public service media, the copyright and is responsible for the production of programmes. The council does not act against the one-sided, propagandistic news coverage on public-service radio and television channels. The Media Act defines the cases in which the Media Council's Office acts in the first instance and the cases in which the Media Council itself acts. If the decision at first instance is taken by the Office, an appeal may be lodged with the Media Council. Decisions of the Media Council may in any case be appealed to the courts. The most serious limitation is that the person who initiates the proceedings, for example in relation to content that is alleged to be infringing, will not be a "client" to the proceedings. However, only clients have the right to appeal. Furthermore, it is the practice of the Media Council not to take any decision on the basis of the complaint, but only to inform the complainant by informal letter that it will not take any action. There is no way of opposing this either.

The Council of Europe's publication "The Media Regulatory Authorities in Europe" mentioned deficiencies in the Council's independence, pointing out that "vague and unfounded application of the law exemplified non-compliance with rule of law requirements and insufficient protection of fundamental rights of citizens". It further mentioned that "decisions regarding radio frequency tenders were rendered without debate or opposing votes" (European Audiovisual Observatory, 2019), which led to a situation in which almost the complete radio market is dominated by government-aligned actors. A particularly risky group of cases are the decisions of the authorities on media mergers. In these cases, it has become a regular practice for the Media Council to adopt a simplified decision without reasoning, on the grounds that the application is granted in its entirety and that there is no opposing party to appeal. These decisions served the expansion

of pro-Fidesz media companies. However, these decisions are clearly unlawful. The Authority's position is incorporated in the merger decision of the Hungarian Competition Authority (GVH) and is binding on the GVH, which cannot deviate from it. However, according to case law, competition decisions may be challenged by any market player present on the relevant market. The Media Council therefore unlawfully relied on the absence of an opposing party. It also made an appeal impossible, since the decision did not state the grounds on which it was based.

### **Universal reach of traditional media and access to the internet (21% - low risk)**

The must-carry rules ensure a secure and prominent place for public service television channels on all platforms, including DVB-T. Not only does the law require that four television channels (and three radio channels) must be carried on all platforms, but also that they must be placed in the first positions in the programme schedules. On terrestrial radio, the digital switchover has not taken place; currently, the best quality frequencies are being used by the public service radio channels. The Hungarian net neutrality legislation is in line with the relevant EU legislation. The NMHH consistently takes action against business models that violate net neutrality. According to the media regulator, the DVB-T2 Digital Video Broadcasting – Second Generation Terrestrial coverage is 99% (data from 2021). For radio stations, the NMHH lists older, 2014 data for coverage: *Kossuth Rádió* 96%, *Petőfi Rádió* 90%, national minority radio coverage 93% (NMHH, 2023a). According to Digital Agenda data, 96.7% of households are covered by broadband. The average internet connection speed is 42.99 mbps, which is very good in European comparison.

The regulatory environment for blocking content on the internet is not fully transparent. Since 1 January 2014, the NMHH has been operating the Central Electronic Blocking Decisions Database (KEHTA), which contains a list of websites and online content that all internet service providers are obliged to block. Initially, only the criminal court could order blocking, but later the National Tax and Customs Administration was empowered to issue such orders for websites of illegal gambling operators, and the National Transport Authority for providers without a dispatching licence. So while the number of authorities that can order blocking – making electronic data temporarily inaccessible – is constantly growing, KEHTA's data is not public. It is not possible to know the number of decisions taken or their legal basis.

The market share of the top4 broadband providers (Magyar Telekom, Vodafone, Digi, Tarr) is estimated at above 80%, while on the mobile internet market, the top4 companies (Magyar Telekom, Yettel, Vodafone, Digi) control 99.7% (NMHH, 2022b and 2022c). 2021 marked the start of a process of changing infrastructure ownership with obvious risks. The telecommunications and IT company 4iG has acquired Digi and, through it, Invitel, which are companies with significant broadband infrastructure. 4iG has also acquired a majority stake in the broadcasting company Antenna Hungária, and through this has also become a 25% owner of the mobile operator Yettel. 4iG's ownership has proven to be close to the governing party. This concentration of ownership of telecommunications infrastructure, combined with a politically connected owner, poses a serious risk of non-transparent influence on network traffic. This process was further reinforced in 2022, when 4iG acquired the majority stake in Vodafone's Hungarian interest, with the minority stake being acquired by the state (see, among others: Koncz, 2021; Keller-Alánt, 2022).

## Focus on the digital environment

The digital score of the area is 48%, which is eight percentage points lower than the overall score – but still medium risk. The legal framework for online communications does not differ significantly from the general legal framework for public communications and is to a large extent aligned with the European legal framework.

One specific Hungarian regulatory solution is the criminal law and criminal procedural law on the inaccessibility of electronic data. According to Article 77 of the Criminal Code, data published on an electronic communications network, the disclosure or publication of which constitutes a criminal offence, which has been used as a means to commit a criminal offence or which has been created by the commission of a criminal offence, must be made permanently inaccessible. This measure may be imposed by a court for any offence.

The legislation on the enforcement of penalties and measures stipulates that the hosting provider, i.e. the person who stores the infringing data on its own servers, is in principle responsible for the enforcement of the measure. If the hosting provider, who has not itself committed an offence, fails to comply with the measure, it may be fined from 100,000 to one million forints (approx. EUR 250 to 2,500), and the fine may be repeated every three months.

According to the legislation, if the hosting provider does not delete the content concerned after the first fine has been imposed, the court “shall order the enforcement of the permanent inaccessibility of the electronic data by means of a permanent blocking of access to the electronic data”. The court will order the blocking of access against the operator of the network providing the data transmission, who will also be subject to a fine of up to one million HUF (EUR 2,500). In other cases, the blocking may be ordered on the basis of the court's own decision or on the basis of a motion by the prosecutor. This is the case for child pornography offences where the hosting provider does not delete the data; in this case, there is no need to wait for the first fine.

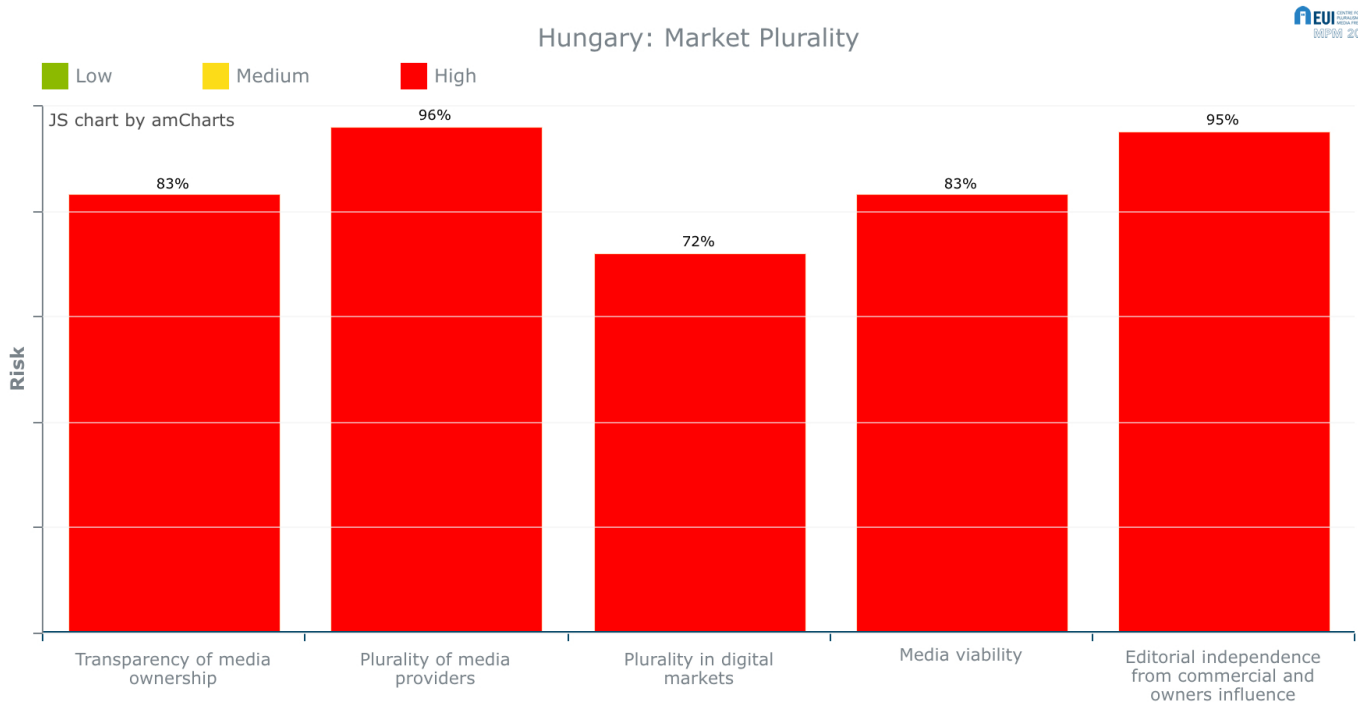
Data relating to the blocking of websites is not publicly available, the database is managed by the NMHH.

Furthermore, special rules apply to online content harmful to children. As of 1 July 2014, internet service providers are obliged to ensure that a free downloadable, easy-to-install and easy-to-use software (child protection filtering software) in Hungarian language, that allows the protection of minors, is made available on their website and can be used free of charge. This is linked to the so-called Internet Round Table for Child Protection, which is the NMHH President's consultative and advisory body for the adoption and implementation of legislation to ensure the healthy development of minors. This regulatory solution does not constitute a disproportionate interference.

As a small language, Hungarian is particularly disadvantaged in complaint handling and screening by social media. The terms and conditions of social media sites don't contain specific rules for Hungary, and neither are there specific safeguards for content creators online. In the past years, several public personalities (both critical and supportive of the government) have reported about content removals or the temporary blocking of their profiles, without sufficient justification by the platform (See also: Budai, 2023).

### 3.2. Market Plurality (86% - high risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



In the **Market Plurality** area, all indicators score high risk. This is also the area with the highest overall risk. The scores show that the country encounters serious problems that are related to the concentration of media, decreasing revenues, commercial and owner influence over content and lack of sufficient transparency.

#### Transparency of media ownership - (83% - high risk)

There are no detailed rules on transparency in the ownership structure of media companies. Transparency is partly ensured by publicly accessible registers kept by the media regulator, however, these registers only provide limited information on media service providers, neither the direct nor the indirect ownership background behind the media service provider is part of it. Direct ownership information is available from the company register. Overall, the rules on the disclosure of company information are in line with EU standards.

The media service provider of a linear media service must notify the authority within fifteen days if there is a change in the data in its register. The authority may impose a fine on the media service provider for late compliance or failure to comply with the change of information. In the case of a media service right which has been awarded by tender, the media service provider must notify the Media Council within five days of the ownership change. Failure to do so is not subject to any specific sanction, which means that the general consequences of breaching the law and the contract apply.

Transparency of media ownership is significantly limited by the fact that the owners who can be identified from company data are not necessarily the final decision-makers. They are often only intermediaries, stooges, who have gained access to the media not through their own efforts, but through substantial political and state support. There are no requirements to disclose the ultimate owners.

Overall, the transparency of media ownership background is in practice somewhat better than what follows from the legal environment – the public is often aware of the ultimate beneficial owners behind a particular outlet. This is because journalists and researchers are actively exploring ownership changes and the political connections behind them. Concerning financial reporting, there are no media-specific obligations, however, reporting of the general annual financial statements is obligatory, just like in other sectors.

### **Plurality of media providers - (96% - high risk)**

The Hungarian media concentration regulation is of the so-called audience-share type, allowing media businesses to acquire new licences and market segments as long as their annual average audience share remains below the specified threshold of 35%. The chance of any media group in Hungary to even approach this share is virtually zero. This was already known when the law was adopted.

According to the law, media service providers reaching the 35% threshold will not be able to obtain further licences. An undertaking which is also present on the television and radio markets and has an average annual audience share of at least 40% in both markets is also subject to restrictive regulation.

The rules do not apply to public service, community and thematic media services. This exception was included in the law because, without it, KESMA would not have been able to simultaneously own all its radio stations: the national commercial radio station *Retró Rádió*, the political talk radio network *Karc FM* and the music network *Gong FM* together would exceed the market share of 35%, were *Retró Rádió* not classified as a thematic music radio station.

A further element of media concentration regulation, not only affecting horizontal concentration, is the control of media mergers by the media authorities.

According to the Media Act, the Hungarian Competition Authority is obliged to obtain the opinion of the Media Council when examining mergers between undertakings or groups of undertakings in which at least two members of the group have editorial responsibility and whose primary purpose is to provide media content to the public via an electronic communications network or a printed press outlet. The Media Council's opinion is binding on the Competition Authority. For now, the Media Council has issued reasoned opinions in only three out of seven cases, of which only one has been cleared by the regulator (the merger between M-RTL and the IKO group). The technical content of the decisions is inconsistent and lacks reasoning (see Mérték, 2021b).

Based on the revenue and audience data available, the media market is very concentrated in Hungary, especially in the print, television, and radio markets (NMHH, 2022d; Scoresgroup, 2022, NMHH, 2022e).

### **Plurality in digital markets - (72% - high risk)**

Because of the extremely high share of large digital platforms (Alphabet, Meta), the online advertising market has become very concentrated (NMHH, 2022d). These platforms do not participate in digital audience measurement, so there is no exact data about their audience market share. There are no specific concentration regulations focusing on online platforms. (See the digital focus for more details.)



There is no special tax for platform providers. However, a few publishers, including *Indamédia* and *Media1* signed a bilateral contract with Google, thus it is expected that Alphabet will remunerate these publishers for some of their content.

### **Media viability - (83% - high risk)**

The indicator scores high risk due to adverse economic revenue trends, which are not sufficiently counterbalanced by innovative business models; declining employment and salary trends; as well as insufficiency of public support. The MRSZ (Hungarian Advertising Association) provides figures of the latest advertising trends. According to these, revenues seem to have increased marginally (in nominal terms) by 3.7% compared to 2021. Due to the high inflation rate, this means in fact a double-digit decrease in real terms (-10.8%); spending declined below the 2019 level (-0.6%). In 2022, the usual pace of growth in the digital segment slowed down, but the media landscape was still dominated by digital players: more than half of advertising revenues (51.4%) went to digital media. Within this segment, the global digital platforms gain approximately 2/3 of the advertising revenues (MRSZ, 2023).

The viability of the local media market is highly uncertain. There are a lot of local newspapers, but they are published by municipalities and financed by public sources. It is also the case with local televisions in bigger settlements. There are only a few (ca 10) local independent newsrooms in the country; they all provide online services. They are very small – typically one or two journalists per newsroom. Sometimes they run crowdfunding campaigns, and they sometimes apply for grants from international donors.

Independent news organisations are innovative, and they introduced several new business models (e.g. crowdfunding, paywall, freemium models) over the years. They also introduced innovative formats (video, podcast, data journalism, long-form journalism, e-book and print magazines, fact-checking service), but these services are rather costly because of the high human resource needs. In some cases, there are dedicated grants behind these projects, and the long-term sustainability is uncertain. Only a small segment of Hungarian society can afford to support independent media. The high inflation and the growing economic problems may jeopardise the future of these revenue streams. The economic difficulties make these models rather vulnerable.

There is no transparent public support scheme for the news media sector. There is a scheme (Médiatanács Támogatási Program) that can be used, among other things, for news production, but it is only available for local television and radio stations, thus very few independent media qualify and procedures of allocation are not known. Pro-government media is heavily financed by state advertising.

There were some major layoffs in the Hungarian media in 2022, surprisingly mainly in the government-friendly media. It is likely that the ruling party recognised that advertisement spending is better placed on social media (apart from advertisement this also means content produced by pro-government influencers) and thus decided to close some costly but low-reach traditional media. After the election in April 2022, several pro-government media outlets owned by media conglomerate KESMA were closed (*City7* free newspaper and print editions of *Figyelő* and *Világgazdaság*). Some other pro-government media outlets disappeared which were not part of the KESMA-empire, like the print edition of the *Magyar Hírlap* daily newspaper or the *Pesti TV* television channel. Similarly, print distribution stopped and journalists were let go at the *168óra* political weekly and the *Pesti Hírlap* free newspaper distributed in Budapest (two outlets that used to publish content critical of the government, but were widely seen as captured by pro-government interest groups through their ownership). The news portal *Azonnali*, owned by an opposition green MP, was

also closed.

The working conditions of freelance journalists have worsened as the rules of the so-called KATA small business tax system were changed. Many freelance journalists were relying on this scheme in the past. The new rules mean an increase in their tax burden (see: About Hungary, 2022 and Kafka Desk, 2022)

### **Editorial independence from commercial and owners influence - (95% - high risk)**

The situation of journalists and newsrooms is vulnerable in Hungary. There is no mechanism granting social protection to journalists in case of changes of ownership or editorial line. The trade union is very weak.

Article 7 of the so-called Press Freedom Act protects the independence of journalists in the following way: „Journalists are entitled to professional independence from the owner of the media content provider and from the person supporting the media content provider or placing a commercial announcement in the media content, as well as to protection against pressure from the owner or the person supporting the media content to influence the media content (editorial and journalistic freedom). A journalist cannot be penalised under employment law or any other legal penalty for refusing to comply with an order that would curtail his editorial and journalistic freedom.” In practice, however, this rule has no practical significance, and no journalist has ever taken legal action on this ground.

There is no regulatory safeguard to ensure that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests.

There are no laws and/or self-regulatory measures stipulating that the exercise of the journalistic profession is incompatible with activities in the field of advertising.

There is no law prohibiting advertorials or other forms of disguised advertisement, but there are some self-regulatory instruments. Code of ethics of industrial organisations (Hungarian Association of Content Providers, Hungarian Association of Publishers, and National Association of Hungarian Journalists) require the separation of editorial content and advertising. There are several signs and anecdotal evidence that media outlets do not take it very seriously and advertorials are widespread (see Csatári, 2021 and NMHH, 2021). The media outlets follow different practices, but there is no clear and clearly visible indication of supported content. The various practices are not recognisable to the average media consumer, so it is almost certain that advertorials mislead many media consumers.



## Focus on the digital environment

With an 82 percent risk score, the digital segment of the area is close to the overall area score and is still high risk.

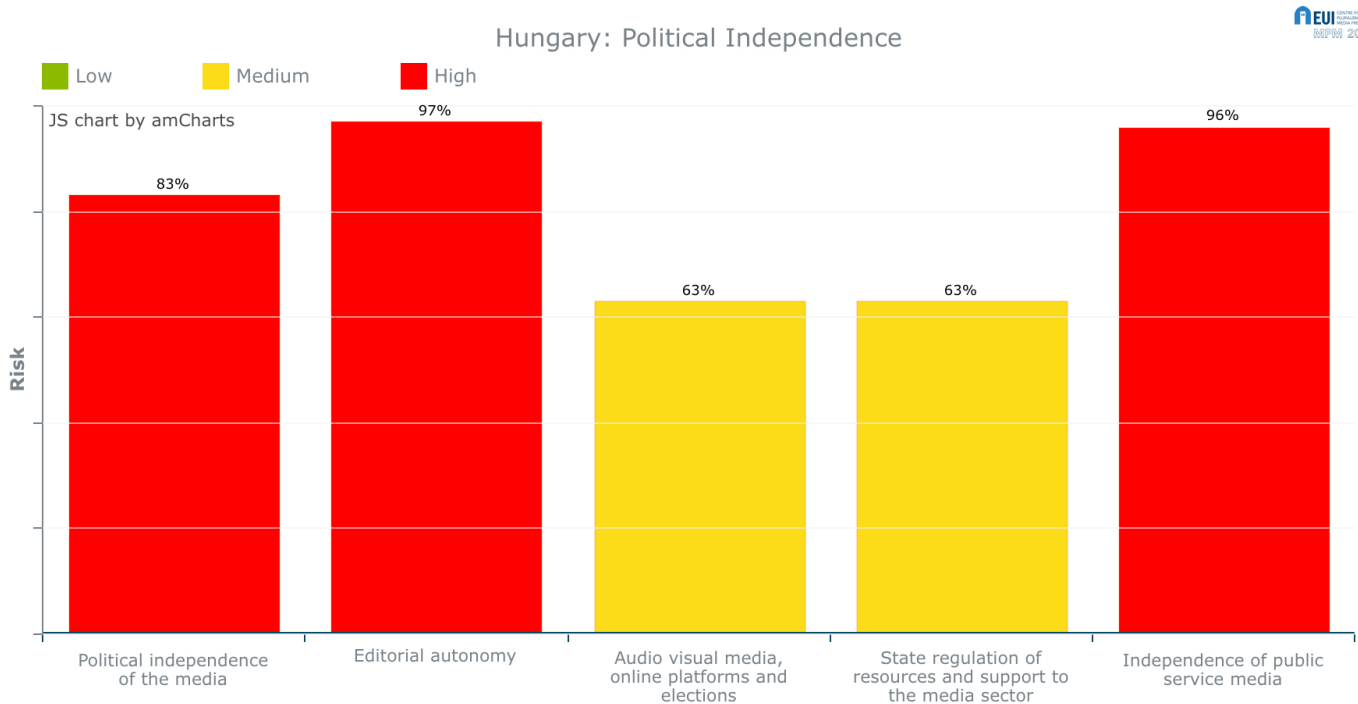
There are no specific requirements for financial reporting obligations in the digital media sector.

It is also the case with concentration, there are no regulatory safeguards to prevent a high degree of concentration specified for the digital media sector. However, the big digital platforms (Alphabet, Meta) have an extremely high share in the online advertising market; 2/3 of the advertising digital advertising revenues go to global digital platforms. The EU copyright directive has been transposed under Act XXXVII of 2021.

Independent news organisations are typically digital content providers. They are rather innovative, and introduced several new business models (crowdfunding, paywall, freemium model) in the last years. Different innovative formats (video, podcast, data journalism, long-form journalism, e-book and print magazines, fact-checking service) are also widespread. However, these services are rather costly because of the high human resource needs. In some cases, there are dedicated grants behind these projects, and the long-term sustainability is uncertain. Only a small segment of Hungarian society can afford to support independent media. The high inflation and the growing economic problems may jeopardise the future of these revenue streams. The economic difficulties make these models rather vulnerable.

### 3.3. Political Independence (80% - high risk)

The *Political Independence* indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



The **Political independence** area scores a high risk at 80%. The score is mainly driven by the indicators on Political independence of the media, Editorial autonomy and Independence of public service media, which all score high risk. These indicators show that the governing party has a very strong influence over content production and editorial decision making in the PSM, as well as in many private media.

#### **Political independence of the media (83% - high risk)**

Articles 43 and 46 of the Media Act mention a list of offices that are not compatible with media ownership and activities in publishing, moreover, Article 36(1) of Act CLXXXIX of 2011 on Local Governments describes conflicts of interests for local deputies and mayors, listing, among others, management positions in media service providers. The conflict of interest rules listed in the law do not exclude MPs from being media owners. In fact, there has been an examples of an MP being direct media owner (in the case of some local online outlets and the now defunct Azonnali.hu, which were owned by the opposition MP Péter Ungár). Overall, however, these conflict of interest rules are of no real relevance today, as formal conflict of interest rules have never prevented media ownership by actors with close political connections or who regularly win public contracts in other industries.

Indirect influence via proxies, government-aligned investors and business ties is one of the main characteristics of the Hungarian media market (Dragomir, 2017; Szeidl & Szucs, 2021; MFRR, 2021). The example of KESMA is the most prominent one: it owns more than 400 news media outlets (see among others Brogi E. et al., 2019). In relation to the lack of independence at KESMA-owned media, the Country Memorandum of the Commissioner of Human Rights (CoE) in 2021 highlighted among other things that the

KESMA outlets (as well as the PSM) are characterised by a “dominant and largely unanimous pro-government narrative” (CoE, 2021) with very little accountability. In addition, one of the two big commercial television stations (*TV2*) and a news tv channel (*Hír TV*) are controlled by entities with very close connections to the governing party (Bede, 2018; Rényi, 2018; Kreatív, 2021), as well as the largest radio stations (*Retró FM*, *Rádío 1-network*, *Karc FM*, *Gong FM*, *Trend FM*, and *Best FM*). Moreover, the PSM is completely under the control of governing parties and is considered a government mouthpiece that amplifies the government’s narratives. The government's control over these media outlets means that older, lower educated and/or rural audiences have less access to critical information, as the media most accessible to (or most widely used by) these groups act as amplifiers of government messages, without any internal pluralism in their content. Political control is particularly strong in the print newspaper market, notwithstanding the fact that these products can no longer be profitably operated, at least not on a commercial basis.

Access to the national news agency *MTI* is free for all media outlets, and it also offers newscast services to radio stations, so that they don’t have to engage in the costly production of their own news segments. These segments, however, are widely seen as biased. As an assessment of radio news content by Hargitai (2021), in the aftermath of the 2018 national election, found, some degree of (external) pluralism was only observable in the capital city. Apart from that, “radio news bulletins dominantly broadcasted pro-government messages across the entire radio spectrum, across almost all talk and music formats, interrupting classical, pop or folk music every hour, for target demographics from young to elderly listeners, across the country, in both the state and private sectors. News supporting government ideology is almost unavoidable for those who wish to listen to music or any Hungarian talk over the air. This lack of choice, unlike in a filter bubble media model, creates a radio content continuity in which the ideological frame of the news may be sharply different from what the listener would choose” (Hargitai, 2021:144).

Political control is also visible online, but not to the same extent as in other sectors. According to the NMHH’s assessment of the first quarter of 2022, *Origo* had the second and *Index* had the fourth greatest reach among online news media in Hungary, reaching 67% and 66% of online users, respectively. *Origo* openly spreads pro-government propaganda, while *Index* has also been supportive of the government since the change of ownership in 2020. At the same time, *Hvg.hu* and *24.hu* are two large independent news portals backed by relatively stable publishers and a broad product portfolio. A number of small independent news startups have been created by journalists who left their increasingly government-oriented media outlets. *Átlátszó.hu*, *444.hu* and *Telex* were launched by former *Index* journalists, while former journalists from *Origo.hu* created the investigative portal *Direkt36*. There are also examples of local journalists, formerly employed by regional publications, launching small news startups focusing on their respective localities. These smaller investigative projects and news portals are largely funded by donations, subscriptions or grants, with very limited access to the advertising market. In November 2022, the the owner and CEO of the Central Media Group, which publishes the aforementioned *24.hu*, Zoltán Varga, was questioned by the National Tax and Customs Administration (NAV) – the measure is widely considered politically motivated, as a way to put pressure on independent voices (MAPMF, 2022h); previously Varga had been a target of Pegasus surveillance.

### **Editorial autonomy (97% - high risk)**

Many newsrooms are directly controlled by the governing party’s proxies, and thus publish content that is heavily biased towards the government. The public service media is widely considered as being under direct governmental control. The state-owned Hungarian News Agency (*MTI*) is a subsidiary of the Hungarian

PSM. In the past years, investigative articles were published that prove that the PSM management requires employees to further the interests of the Fidesz government in their articles (Keller-Alánt, 2020), while the journalists and editors of the news agency take direct orders from politicians (Wirth, 2022a&b). According to testimonies of former PSM employees, content published on the PSM was often directly requested or even written by employees of the Cabinet Office of the Prime Minister (444.hu, 2022).

Most privately-owned pro-government media are effectively used by the government and the ruling parties to spread their own messages and narratives; in other government-aligned media, editors are known to rewrite or remove parts of politically sensitive articles (Pethő, 2022) The relationship between the pro-government media and the government is completely free of conflict, and the loyalty of the pro-government media is unquestioned. In the recent period, the pro-government media have not reported, for example, on the opposition primaries, the criticisms of the OSCE on the fairness of the 2022 elections, the 2022 protests of teachers and students, as well as the decision of the European Commission to propose to the Council to suspend the payment of €5.8 billion to Hungary. At the same time, all pro-government media outlets have been involved, for example, in the government campaign criticising European sanctions against Russia.

The number of corrections and lost lawsuits in the pro-government media is extremely high. In 2022, the pro-government media lost 29 lawsuits, while independent news media only lost six of them (Erdélyi & Szabó, 2023). It is therefore clear that the spreading of lies in the pro-government media is not an error or mistake, but part of the way the system works.

There are no regulatory safeguards (neither laws nor statutes) that prevent political influence over the appointments and dismissals of editors-in-chief. There are also no effective self-regulatory codes that would be followed by the majority of newsrooms. MÚOSZ (National Association of Hungarian Journalists) has an ethical code, but it is ineffective.

### **Audio visual media, online platforms and elections (63% - medium risk)**

According to the Media Act of 2010 (Art. 96) and the Code of Ethics of the Public Service Media (p. 16), the PSM channels and services are expected to provide fair, balanced and impartial representation of political viewpoints in news and informative programmes. In practice, the PSM cannot live up to this requirement. The PSM doesn't have to air political shows (and thus invite dissenting voices) and doesn't have to provide airtime to opposition politicians. Prior to the national election in 2022, the MTVA usually announces that it is "going beyond its legal obligation" by providing 5 minutes of airtime to each party's candidate (Presinszky, 2022). Assessments show that this practice leads to an overrepresentation of the governing party's candidates (see also OSCE, 2022).

The NMHH regularly assesses the media representation of politicians, and suggests a relatively balanced representation of opposition and governing party politicians. However, this assessment can be misleading, as it hides the fact that the time and number of reports devoted to particular politicians don't show whether they have received fair coverage. In fact, the opposition is always portrayed in a negative light, and reporters always represent the government's position. In the run-up to the April 2022 national elections, the pro-government Observatory of Journalism (OJIM) found that both the government-aligned and the critical outlets were biased towards one or the other political camp, still, the government-critical news outlets are more likely to criticise the opposition's candidate, while government-aligned outlets won't publish any article that is critical of the Prime Minister (see Bakró-Nagy 2022a&b). During the election campaign of 2022, the ODIHR Election Observation Mission Final Report wrote the following:

“The pervasive bias in the news and current-affairs programs of the majority of broadcasters monitored by the ODIHR EOM, combined with extensive government advertising campaigns provided the ruling party with an undue advantage. This deprived voters of the possibility to receive accurate and impartial information about the main contestants, thus limiting their opportunity to make an informed choice. In particular, public M1 [the first channel of the PSM/MTVA], as well as private TV2 and Hír TV displayed a clear bias in favor of the government and Fidesz by allocating 50, 54 and 37 per cent of politically relevant news coverage, respectively, to the government and 5, 11 and 14 per cent, respectively, to Fidesz, mainly positive in tone. As a rule, such coverage lacked any clear distinction between coverage of the government and the ruling party. United for Hungary [the united opposition] received 43, 34 and 45 per cent of mainly negative coverage. Such coverage was often intertwined with comments and unsubstantiated allegations expressed by journalists who were personally attacking Mr. Márki-Zay. A similar trend was observed in talk shows and current-affair programs of M1 and Hír TV” (ODIHR, 2022: 28-29).

In line with the OSCE’s findings, Mérték Media Monitor’s campaign monitoring (Mérték, 2022) also found that while the main public media news outlets reported on opposition parties, 58% of the news stories portrayed opposition parties in a negative light. In contrast, 75% of the news about the governing parties was positive and the remaining 25% was neutral; not once did the governing parties appear in a negative light in the news. It is also noteworthy that the public service channel presented the opposition’s prime ministerial candidate in a negative light 92% of the time, with only a few positive portrayals. On the other hand, PM Viktor Orbán was portrayed positively in 96 percent of cases and there were no negative portrayals of him.

Mérték’s campaign analysis also found that politicians affiliated with the government side had a total of 161 minutes of speaking time in the news shows of the PSM-channel *Duna TV*, while their opposition counterparts had 37 minutes in the public television news program. Bene et al. (2021) found that during the elections of 2018 and 2019, the opposition was more actively campaigning on social media, especially Facebook, than the governing parties. This changed in 2022, when governing party politicians increased their social media spending, and pro-government influencers (such as the ones working in the context of the Megafon organisation) became more active and visible (see for example, TBG & Herczeg, 2022).

Private channels can decide whether they want to provide airtime to political advertising or not. The price of individual ads can be found on the website of the State Audit Office (Asz.hu), and outlets have to publish a detailed list of ads run during the campaign period. The election campaign regulations do not explicitly address social media. However, the National Audit Office, which monitors campaign spending, published a manual on accounting for campaign expenditure (ÁSZ, 2020). According to the National Audit Office, its provisions on campaign funds and campaign activities should also apply to political advertising content on social media during the campaign period. According to the Audit Office, this also implies that the maximum amount that can be spent on campaigning also covers the amount spent on social media. However, “it is not clear from the budget which activities on social media platforms constitute campaigning activities and which do not, and it is not clear which activities should be taken into account for the purposes of the HUF 5 million [approx. EUR 14,000] limit and which should not”. In other words, the Audit Office ultimately provides no clear guidance as to whether the promotion of content that is not explicitly political advertising constitutes campaign activity. This was also the case in the context of the 2022 national election. Political advertising on platforms is labelled, ad repositories exist, but there have been signs that there are problems with implementation and transparency (see for example the “ERGA Report on disinformation: Assessment of the implementation of the Code of Practice” published in 2020). Political advertising outside of the electoral campaign period is not allowed for political parties, but the government can run public interest campaigns

that are widely considered covert political ads. The government's public interest ads are also used during campaigns to spread the government's messages.

### **State regulation of resources and support to the media sector (63% - medium risk)**

The rules on spectrum management are essentially set by European norms (Hungary has also transposed the EU Electronic Communications Code). At the same time, there is a clear bias in the practice of spectrum allocation.

The situation is problematic due to market changes on the one hand and the practice of allocating frequencies for broadcasting purposes on the other. In 2023, Vodafone's interests in Hungary will be owned to a lesser extent by the Hungarian state and to a greater extent by a Hungarian company, 4iG, which is clearly linked to the governing party. In this way, a politically-connected company has moved into the position of being the third-largest mobile internet traffic generator and the second-largest distributor of mobile internet SIM cards in the mobile broadband market. 4iG has a complex ownership structure, through which it wholly owns the smallest mobile operator, Digi, and has a 25% stake in the second largest mobile operator, Yettel. Antenna Hungária, the operator of the Hungarian digital terrestrial television platform, is also partly state-owned, with the majority shareholder being the same 4iG as in the case of Vodafone. Antenna Hungária manages its digital terrestrial broadcasting capacity largely without regulatory control, with the exception of must-carry rules which favour the PSM. The Media Council now only decides on the allocation of broadcasting frequencies. These are the decisions that most clearly show the political bias of the Media Council. The current pro-Fidesz players win every tender they enter (in case they submit a formally valid tender). In a recent study, Mérték Media Monitor analysed the radio frequency tenders between January 2018 and April 2021 (Mérték, 2021c). It shows that only 15.4% of the applications – 12 frequencies – were won by applicants not belonging to any major pro-government network. KESMA radios have continued to expand in the period since the survey.

The media law doesn't mention direct subsidies. There is a support programme for local TVs and radios, which can be used for news production. It has a yearly budget equivalent to EUR 900.000 for radios and 1.3 million for tv stations. There is no assessment of the impact and fairness of this support. In the past, there have been examples of unfair and opaque ways of supporting private news outlets through grants and favourable loans, but for the last few years, there have been no reports of similar developments. Recently, Pethő (2022) wrote based on recordings he obtained that the government-controlled *Index.hu* received some form of financial support from entities connected to the Prime Minister's middleman Lőrinc Mészáros (whose companies are the major beneficiaries of public contracts), and *Magyar Nemzet* reported that the government-critical magazine *Jelen* received funding from an opposition-controlled municipality (MN, 2022). The only indirect subsidy is the reduced VAT which is available to all print news media outlets.

Non-transparent governmental support mainly takes place in the form of state advertising (including advertising from state-owned companies) – which is currently unregulated. Mérték (2021d) described the situation as follows: “The primary instrument of distorting the media market in Hungary is state advertising spending. This means that the state (including the central government, the state-owned enterprises and the institutions funded by the state) spend their advertising budgets in ways that ensure that this money almost exclusively benefits media that are loyal to the ruling party.” A key institution is the National Communications Office, founded in 2014, it coordinates the communication of state institutions and deals with related public procurements. Based on Mérték's assessment (Mérték, 2021a: 67), in the case of print dailies and local media, the share of state advertising has surpassed 50% in the year 2020. The report also shows that the recipients of state funds are government-aligned news media (with the notable exceptions of



some outlets that are seen as captured by the government, such as the daily *Népszava*). Another Mérték (2021d) paper highlights that 37% of state ad spending benefits KESMA's publications, and 49% goes to other government-aligned media. There has been no systemic assessment of the distribution of state advertising in the year 2022, but according to journalists' perception, there has been no change in the practice. Reports show that the state is still the biggest advertiser in the Hungarian media market – in particular the Office of the Prime Minister – as reported by the latest CANnual report 2022 (CANnual, 2023). At the same time, the government and politicians of the governing party had increased their advertising spending on social media, specifically Facebook and YouTube. Apart from the biased advertising allocation of state-owned enterprises, there are signs that some major companies are also refraining from advertising in news outlets that are critical of the government (a recent case was described in the Swiss *Tages Anzeiger*, which showed that the Swiss Stadler Rail company spent all its Hungarian advertising budget in government-friendly media, see: Odehnal, 2023). There are indications that the amount spent on governmental information campaigns had been as high in 2022 as ever before, the Cabinet Office of the Prime Minister alone spent HUF 44 billion (approx. EUR 110 million) on these forms of advertisement (Haszán, 2023).

### **Independence of public service media (96% - high risk)**

The independence of public service media is one of the indicators with the highest risk score in the MPM2023, as the Hungarian PSM is financially dependent on the governing majority in Parliament, is controlled by political interests and is seen as extremely biased in its reporting.

The media law states that the Media Service Support and Asset Management Fund (MTVA) exercises the ownership rights and responsibilities of public service media assets, and – among other things – it is also in charge of producing or supporting the production of public service broadcasting items. At the head of the Fund is a CEO who can be appointed and recalled by the president of the Media Council without providing reasons for the dismissal, and whose work is not subject to review by any public body. According to the law, Duna Media Service Nonprofit Ltd. (Duna) is the provider of all public service television, radio and online content services, as well as public service news agent's activities from July 2015.

According to the media law, Duna is the public service media provider and it is more or less appropriately subject to external control mechanisms, but in reality, the oversight is merely a façade since it has no resources for the actual performance of these functions. At the same time, the MTVA is subject to the review of a single organisation: the Media Council. Media Council members were delegated by the ruling party.

The MTVA disposes of taxpayer funds without being subject to any meaningful outside control and thus, there is little information on how it spends the money. The Parliament's governing majority makes the decisions about the level of public support for the MTVA. For 2022, the proposed budget was HUF 130 billion (approx. EUR 340 million, see Parlament.hu, 2021).

## Focus on the digital environment

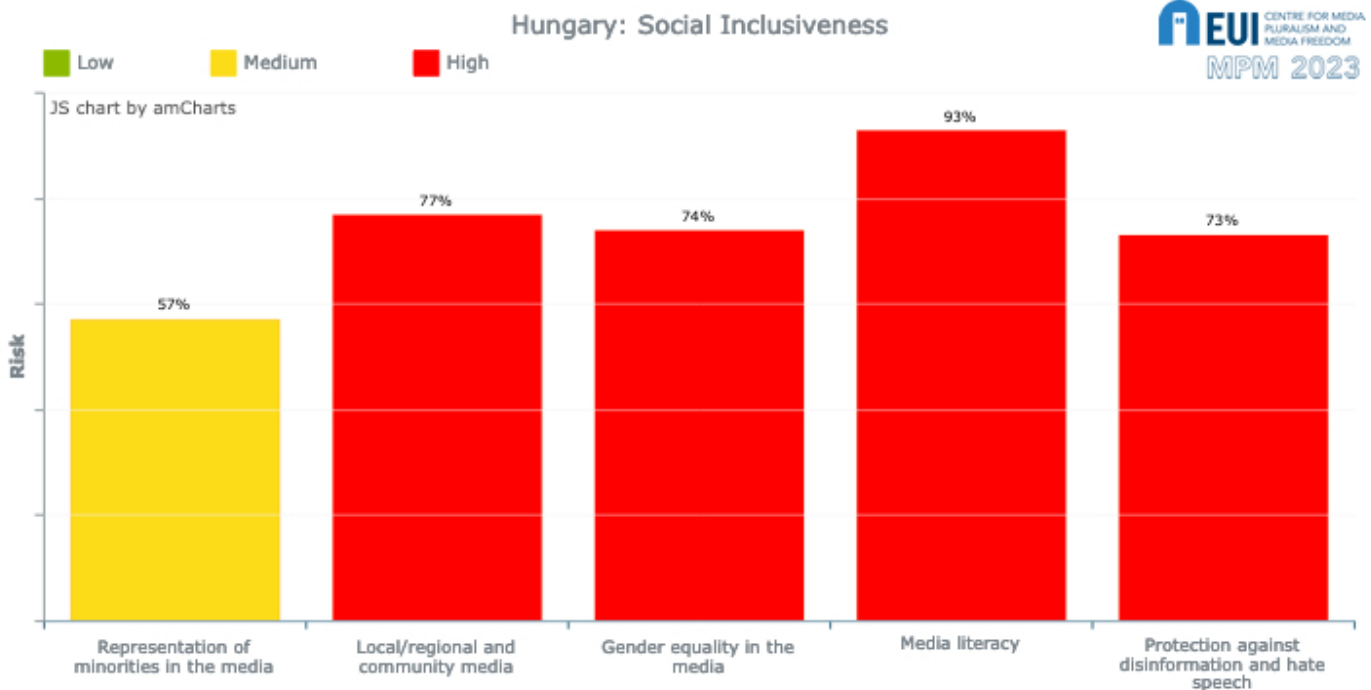
The digital score of the political independence area is 88%, which is in line with the overall score. There are some independent, widely-read news outlets online, but some of the most influential media are under the control of the government and its interest groups. While political campaigns in news media (both online and offline) are relatively well regulated, there is no regulation on online campaigns on social media. The Facebook Ad Library and the Google Transparency Report make it possible to track the spendings of political actors, but according to a report by ERGA (2020), the transparency of these services could be further improved. The last national election campaign has shown that social media spending has become gained importance for the governing party and its politicians.

The online mission of the public service media is not yet properly defined: The Media Act regulates the so-called public service value test (Article 100/B), which requires the PSM provider to assess and verify the public service nature and value of its services and their impact on the diversity of the media market. Of the procedures the Board has so far carried out, only one has dealt with an online service (*m3.hu*) – how to make the Hungarian PSM's 3rd channel (with a focus on republishing archival material) available online.



### 3.4. Social Inclusiveness (75% - high risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against disinformation and hate speech.



The **Social Inclusiveness** area scores high risk, due to the weaknesses and lack of independence of local and community media, the failing gender balance of PSM and private media, the lack of a functioning media literacy strategy, as well as insufficient measures to tackle disinformation and hate speech - in the latter two cases also taking into consideration that the government itself is fueling the spread of disinformation and hate speech with its public messaging. The only indicator scoring medium risk is the Representation of minorities in the media, here we can see a number of measures taken to improve access to media for vulnerable groups, especially people with disabilities.

#### Representation of minorities in the media (57% - medium risk)

This indicator is the only one in this area that scores medium risk. It looks at the representation of ethnic and religious minorities in the Hungarian media, as well as access to media provided to people with disabilities. Although measures are taken in both cases, there are still deficiencies, especially when it comes to providing sufficient airtime to minority groups.

In the case of ethnic and religious minorities, article 99 of Act CLXXXV of 2010 on Media Services and on the Mass Media, states that all nationalities recognised by Hungary should have the right to “foster their culture and native language, and to be regularly informed in their mother tongue” through the PSM. Accordingly, there are dedicated shows for all recognised ethnic minorities on the public service media, but these are not always sufficiently accessible (e.g. PSM minority programmes are aired on weekdays early in the morning). Aside from minorities not recognised by the law, the Jewish community has a show on PSM devoted to Jewish culture.

The Hungarian media regulator's report (NMHH, 2022f) shows that, if considered as a religious rather than

ethnic group, the representatives of the Jewish communities receive 6.1% of the airtime provided to representatives of religious communities, which is above the share of the Jewish community members in Hungarian society (similar trends can be seen in the 2023 edition, published after the conclusion of our data collection, see: NMHH, 2023b). There are also Russian, Chinese, and German language news segments in the PSM, but these are not aimed at national minorities but are rather to be considered public diplomacy efforts.

Private broadcasters don't have programmes specifically aimed at minorities. *Dikh TV* and *Dikh Rádió* cater to the Romani minority, but their content is overwhelmingly focusing on pop music. A small number of small publications online or in print cater to minority groups, such as the Romani or Jewish communities, such as the magazine *Szombat* (Jewish) or the online media *QR TV* and *TV Baxtale* (Romani) (see Bleyer-Simon, Benedek & Rácz, forthcoming). The representation of Romani people, the largest minority group in the country, is considered very poor in the national culture (see, among others, Messing & Bernáth, 2017).

When it comes to media access for people with disabilities, legislation is in place and effectively implemented – but some problems still exist. Article 39 of Act CLXXXV of 2010 on Media Services and on the Mass Media specifies that audiovisual media service providers need to provide programmes accessible for the hearing impaired, with subtitles or in sign language. According to an assessment of the media regulator (NMHH, 2022g), on average 86% of assessed programmes were made accessible to viewers with hearing impairments. The highest percentages were registered on the PSM and news channels, somewhat lower percentages were reported on commercial channels. In 99.4% of the cases accessibility meant the provision of subtitles. However, some deficiencies remain with the quality of the service, which need to be addressed in the future. For example, the automatic captioning of television shows is not always good, while children's programmes should be made accessible through signing rather than subtitles, especially in cases when they are aimed at an age group that doesn't read yet.

Measures are also taken to make television shows accessible to people who are blind or partially sighted through audio descriptions. Here again, the measures are seen as widely accessible, but the affected community has signaled that there is room for improvement. A statement (based on a limited survey) by the Hungarian Federation of the Blind and Partially Sighted (MVGYOSZ, 2021) was published that pointed towards some issues with the existing services: a quarter of the respondents never used the service, which is seen as hard and complicated to access (often only possible with help from others, while the hotline is not reliable). There were also complaints about the quality of the audio narration (not loud enough, audio narration often not adapted to the original sound) and the availability of the service (e.g. re-runs didn't have narration).

### **Local/regional and community media (77% - high risk)**

This indicator scores high risk, due to the limited number of independent local and community media. The most critical segment of local media services is the local analogue radio market. Here, the Media Council has facilitated the expansion of politically preferred players, which led to a situation in which the majority of local radio stations are in fact not local media services but extended radio networks with multiple frequencies. The largest radio networks are *Karc FM* (political talk radio, KESMA), *Rádió 1* (music radio, pro-government owner), *Gong FM* (music radio, KESMA), *Best FM* (music radio, pro-government owner), and religious radio stations run by the Catholic and Reformed churches (Mérték, 2021e). When the government's preferred bidder enters a local radio tender and does not make a serious formal error, it is sure to win the tender. According to records on the regulator's website, 64% of the 102 local radio stations and 60% of the 42 district stations are given to networks. The diversity of the local radio market is further

undermined by the fact that even a significant number of independently operating radio stations (exact figures are not available) buy their news blocks from the state news agency and do not have their own newsrooms. In Hungary as a whole, radio has lost its role as a genuine source of local information.

There is a state subsidy scheme in place. The Media Council Funding Program (Médiatanács Támogatási Program) sponsors local and regional television and radio stations in a tender scheme to cover their overhead costs, technical improvements or the costs of their radio or television programmes. But there is no information about the criteria regarding the distribution of these funds.

The PSM Charter mentions that one of the goals of the PSM is to provide content of local and regional interest (Közszolgálati Kódex, 2016: 23). However, in the years after 2010, all of the PSM's regional studios were closed. To cover local developments, the PSM worked in cooperation with local tv stations. But these television stations are run by local municipalities and are thus politically influenced. After some municipalities were won by the opposition after the 2019 local election, the PSM decided to put an end to its cooperation with the stations of said municipalities (Klubrádió, 2019; Doros, Ungár & Vas, 2019).

Concerns also arise in the case of community radio. Even though the Media Act regulates community media services, in practice this category of media services has lost its original functions. As community media service providers are exempt from media service fees, politically supported talk radio networks and church radios started bidding as community radios. Other than these, there are very few genuine community radio stations that meet specific community needs, the best known being *Tilos Rádió*. In addition, there are 14 so-called small community radios, which are available within a reception radius of a few kilometres at most. The largest community media network is *Karc FM*, which is part of the government-aligned media conglomerate KESMA (in May 2023, news reports mentioned that Karc FM is about to be restructured and renamed, which implies that changes can be expected in the next year of assessment).

The Mérték Media Monitor analysed radio tenders between January 2018 and April 2021. In this period, the Media Council closed a total of 77 tenders. Out of them, 44 tenders were aimed for community media rights and 33 for commercial rights. For the community radio frequencies, almost only *Karc FM* and religious-church radio networks competed in the analysed period. In total, there were five Community radio tenders in which bids were submitted by other operators. In these five cases, however, *Karc FM* and the religious-church radio stations did not participate. This presumably means that media operators are no longer considering these radio options, as they know in advance who will win (Mérték, 2021c).

In 2022, the Hungarian media regulator attempted to block the frequency licence renewal of *Tilos Rádió*, one of the oldest independent community radio stations in the country. The measure was widely considered “disproportionate and based on oversized regulatory powers, which are often applied selectively and in a politically motivated manner” (EFJ, 2022). The radio had indeed had some smaller violations in the preceding years, but in their statement, the partner organisations of the Media Freedom Rapid Response (MFRR) pointed out: “The violations identified do not, in our view, constitute reasonable grounds to strip a radio station of its license – and will only further weaken media pluralism in Hungary” (IPI, 2022). Later that year, the media regulator decided to renew the licence and thus *Tilos Rádió* could continue broadcasting, but the threat of losing a licence contributes to the widespread perception that community media's independence of the state is at least fragile in Hungary.

### **Gender equality in the media (74% - high risk)**

The PSM Code of Conduct doesn't mention gender equality. At the end of the year 2022, 23% of the

members of the PSM management boards and 50% of PSM executives were women. The situation wasn't much different in private media: 25% of members of management boards and 50% of executives of private television channels, as well as 25% of editors-in-chief of leading news media are women. The media regulator's (NMHH, 2022f) 2022 report on social diversity in the media shows that only 25% of the people portrayed in television news programmes (29.6% for for-profit and 21.6% for PSM news) are female, which is a serious underrepresentation (the report looking at the year 2022, published after our data collection shows an overall share of 23.4% for women, NMHH,2023b).

### **Media literacy (93% - high risk)**

Although there are media literacy measures in the country, they don't add up to a comprehensive strategy, media literacy's inclusion in school curricula has some major flaws (e.g. limited scope, not necessarily in line with the current digital environment's requirements, limited reach, not taught in every school), there is a lack of well-trained teachers, NGOs in this field are underfunded and the media literacy projects don't reach the most vulnerable parts of society. The situation is made worse by the fact that the public service media – which, in a well-functioning media environment, is seen as a key precondition of society's resilience to information manipulation – is itself seen as a publisher of disinformation (see, for example, Zöldi, 2022).

Under the 2012 National Curriculum (NAT – the country's educational policy), the stated objective of media literacy education is to “help students become responsible participants in a mediated global public discourse and understand the language of both new and conventional media.” Despite rumoured plans to remove media literacy from the curriculum, the new NAT of 2020 still includes media literacy.

The 2010 Media Act obliges the Media Council to promote media literacy. In 2014, it launched a media and literacy education centre called the Magic Valley. The Magic Valley is active at three locations: Budapest, Debrecen, and Sopron. The Council has also hosted at least one major international conference (Decoding Messages - Best Practices in Media Literacy Education), that involved input from a wide range of international experts.

Overall, a number of methodological documents are available on the websites of the Digitális Pedagógiai Módszertani Központ (Methodological Centre for Digital Pedagogy) and the Digitális Témahét (Digital Theme Week). These documents are generally seen as good. Additional content can be found on the website of the Magic Valley Media Education Centre ([buvosvolgy.hu](http://buvosvolgy.hu)), some NGOs (Televele Médiapedagógiai Egyesület, Idea Alapítvány, Álhírvadász) and some commercial entities (See: Nagy, 2022b).

Despite efforts, the overall picture is not good. Nagy (2017) found that teachers involved in media education have limited knowledge of the media industry, and at the time the research was conducted (6 years ago), teachers still underestimated the impact and reach of online media (on average, teachers estimated the readership of *Index.hu* to be 40,000 people, which in fact is less than 10% of the measurements of Gemius-Ipsos). This is all too worrying, given that 81% of the teachers involved in this study believed that students cannot become conscious users of the media simply through their socialisation at home, they would need classes in school. A 2016 Report on Media Education in Hungary by the Office of the Commissioner of Fundamental Rights (OCFR – ombudsman) has raised constitutional concerns, as the existing media literacy measures didn't provide sufficient measures for the protection of children. The text argued that the country's media literacy strategy was not well implemented, and the measures are not in line with its stated goals. The ombudsman also argued that there is evidence that neither the parents nor the children have a sufficient understanding of the threats posed by the online environment.

The text also mentions that media literacy (Media literacy and moving images) was taught as part of other subjects such as ethics, religious studies, basic social studies, arts, and visual culture and there weren't enough qualified teachers in the country. The technological infrastructure of the educational institutions was outdated, most schools in the countryside have limited access to the internet. The computers used in schools have the most basic system requirements, many of the textbooks and auxiliary materials should also be updated or revised.

Our expert interview underlines that the problems were still seen as concerning. Moreover, Lannert and Hartai (2021) found that, despite the existence of a media literacy curriculum, half of the schools they sampled had no media education in the 2018/2019 school year. In a quarter of the schools, media literacy was integrated into another course, and in only 10% of the cases was there a standalone course on media literacy.

The importance of providing training to marginalised groups was raised in the past. An assessment by the state-run (now defunct) Türr István Training and Research Institute found in 2012 that the media literacy skills of people in segregated parts of society, in particular the members of the marginalised Romani population, were low. In accordance with that research, Kovács and Mihályi (2013) emphasised the need to provide targeted media literacy programmes at these parts of society. Despite this well-known need, the measures aimed at the most vulnerable populations are lagging behind. In a paper on media literacy measures in Hungary, Lannert and Hartai (2021) argue that those teachers that work with vulnerable populations have, on average, worse technological skills and less knowledge of the latest methodologies and approaches than the general population of teachers.

### **Protection against disinformation and hate speech (73% – high risk)**

In Hungary, disinformation is present in many news media outlets, and is often embraced, amplified by, or even originates from, the government. In the context of the war in Ukraine, the NMHH (2022a) announced that it is going to enforce the EU's ban of the two Russian government-run propaganda channels *RT* and *Sputnik* (the list of blocked media was later extended). The NMHH made sure that the only Hungarian broadcast provider that included *RT* (also known as *Russia Today*) in its television packages discontinued the service. At the same time, Russian-origin disinformation was shared on Hungarian blogs, news websites, television stations, and even the PSM (Bayer, 2022; Zöldi, 2022, Kapronczay, 2022, Szebeni, 2022, Német, 2022). During the election campaign, both the narrative of government members and news outlets included fabricated statements that the Hungarian opposition was aiming for an involvement in the war in Ukraine, while Ukrainian president Volodymyr Zelenskyy was trying to influence the Hungarian election (Bálint, 2022). In their assessment, Szicherle & Molnár (2022) found evidence of excessive inauthentic online behaviour in Hungary, with many fake accounts that spread content (often generated with online translation software) that resembled the official narrative of the Kremlin.

Some efforts to halt health disinformation were visible during the COVID-19 pandemic. The government didn't support anti-vax narratives, some disinformation actors were acted against, the sale and advertising of homoeopathic products was limited. As a result, Hungary's vaccination rates weren't among the worst in the EU. In the first wave of the pandemic, the Criminal Code was changed to increase the penalties for those that spread mis- or disinformation that could have hampered the government's measures to deal with the COVID-19 pandemic – these efforts were very controversial and (could have) had an adverse impact on freedom of expression.



In the context of foreign affairs, disinformation originating from abroad is seen, or at least communicated, as a possible threat. While there are no policy documents (except for the vaguely phrased National Security Strategy – Government Resolution 1163/2020 –, which mentions disinformation as a threat, but doesn't specify where it comes from or how to act against it), expert Péter Krekó, director of the think tank Political Capital argues that statements of politicians imply that the anti-Western geopolitical narrative is close to an official governmental position – and, in fact, the government sees disinformation as coming from Western allies.

The Hungarian media regulator, NMHH, has some projects that aim at countering disinformation, but Krekó argues that they cannot have a major impact, as it is a politically controlled organisation, and one cannot expect such an institution to take steps that challenge the government's intentions and thereby safeguard the integrity of public discourse in Hungary. At the same time, there are fact-checking organisations, media literacy activities, etc. originating from media and civil society, but so far their impact is somewhat limited. The country's first dedicated, independent fact-checking site, called *Lakmusz.hu*, was launched with the support of EDMO (the European Digital Media Observatory) and the European Commission, relying on the expertise of the French news agency Agence France Presse (AFP). AFP's Hungarian-language fact-checking site Ténykérdés has been available since 2021. The Hungarian public service media has launched its own fact-checking service (Hirado.hu, 2022), which, however, is seen as providing politically motivated commentary instead of objective fact-checking (Diószegi-Horváth, 2022).

In the case of hate speech, there is a legal framework in Hungary, but there are still deficiencies – in part because the legal framework doesn't put a great enough emphasis on protecting vulnerable groups, while it explicitly mentions the protection of the majority. Moreover, hate speech has not been the subject of clear practice since the 1990s. Rather, this has led to a situation where no convictions are handed down in such cases because the police or prosecutors do not allow cases to proceed to court. However, the few judgments available are contradictory and unclear.

Hate speech is addressed in Article 332 of the Criminal Code (Act C of 2012). Changes were made to the text in October 2016, in compliance with the EU Council Framework Decision on Combating Racism, expanding the provision to include "incitement to violence" alongside "incitement to hatred", and it also included protections in cases where individual members of protected groups are targeted. The Civil Code's (Act V of 2013) Section 2:54 (5) says: "Any member of the community may enforce his personality rights within a thirty-day term of preclusion from the occurrence of a legal injury that was committed with great publicity in relation to some essential trait of his personality, his belonging to the Hungarian nation or some national, ethnic, racial or religious community, and is grossly offensive to the community or unduly insulting in its manner of expression [...]"

In its assessment of the hate speech framework, Article 19 (2018) points towards some key deficiencies: "The list of protected characteristics in the Civil Code is exhaustive and includes the Hungarian nation, national, ethnic, racial, and religious groups. Other groups – e.g. LGBTQI people or people with disabilities – are excluded from protection." The 30-day statutory limitation for initiating legal action is also seen as extremely short. The report also states that "barely any reported incidents are considered as falling within the scope of the criminal provision contained in Section 332 of the Criminal Code. Law enforcement agencies tend to conclude that the expressive conduct did not constitute a call for a violent act and did not create a direct threat of danger, and criminal proceedings are terminated at the investigation phase or the prosecution drops the charges." The Media Council can impose administrative sanctions in case media outlets publish content that can be considered hate speech – but it rarely acts on them. The passing of Act

LXXIX of 2021 Amending Certain Acts for the Protection of Children has contributed to the spread of homophobic narratives, for example by equating homosexuality with pedophilia, while many of the government's communication campaigns are characterised by xenophobic narratives against immigrants. Government-friendly media outlets and the PSM often amplify these messages.

### **Focus on the digital environment**

The digital risk of this area is 10 percentage points higher than that of the whole area – it reaches 84%, which is assessed as high risk. According to Eurostat, 49% of the population has at least basic overall digital scores, which is lower than in most other EU countries. In regard of local and regional media, it can be observed that in the past years a number of small, independent local outlets were set up by journalists who were let go from established local and regional newspapers (now owned by the pro-government KESMA conglomerate) and some communities that lack proper representation in the media have managed to set up well-functioning online outlets, such as *QR TV* and *TV Baxtale* for the Romani community.

Disinformation and hate speech remain problems in the digital environment – but they are not exclusively online phenomena, given that government-aligned actors are oftentimes sources or amplifiers of these messages through traditional media.

## 4. Conclusions

In the MPM2023 we recorded many of the same problems we had witnessed in the past years. The laws concerning media are increasingly ambiguous, access to information is made harder, while the media market is distorted by media capture through ownership by government-aligned investors and the unfair allocation of state advertising.

In the MPM2023, three areas scored high risk: Market Plurality, Political Independence, and Social Inclusiveness. Fundamental Protection registered a medium risk score. In 2022, Parliament made some important positive changes to the text of Act CXII of 2011 on the right of informational self-determination and on freedom of information as part of the Commission's rule of law conditionality process, as such, access to information may become somewhat easier, but the process is still more restrictive than in the years prior to 2015. After the abusive surveillance of journalists with the Pegasus spyware, neither the National Authority for Data Protection and Freedom of Information nor the prosecutor's office found any wrongdoing, because national law made the surveillance possible, even though the surveilled people were not involved in illegal activities – this practice seriously infringes fundamental rights. The rising inflation has increased the risk for the viability of media – several news outlets were closed or turned into online-only publications.

Based on our assessment of the risk in the Hungarian media market, we provide a set of recommendations for the Hungarian government and other stakeholders. Given that in September 2022, the European Commission published its proposal for the European Media Freedom Act (EMFA), we make our recommendation with the aim of also contributing to the European discussion on improving the state of media pluralism and media freedom in member states, and to make sure that the EMFA's measures and recommendations can contribute to a free media landscape in Hungary. From a Hungarian point of view, the most relevant proposals of the EMFA are related to the allocation of state advertising. Here, the EMFA's emphasis is on transparency. However, in the Hungarian context transparency is not enough – the misuse of the state ad budget is well documented by news media and NGOs, but still, nothing is changing, thus, stronger measures are needed. Moreover, the creation of the European Board for Media Services risks giving a prominent profile to the government-controlled Hungarian media regulator – this needs to be counterbalanced with greater involvement of civil and academic advisory bodies in the work of the Board. Furthermore, the EMFA in its current form cannot provide a solution to the problems that arise due to numerous Hungarian media outlets' and journalists' loyalism to those in power and their voluntary support of governmental positions.

We provide the following area-specific recommendations to key stakeholders on the EU and national level:

### **Fundamental Protection**

- The government should undertake a thorough reform of Hungarian media regulation, taking into account the criticism coming from international organisations. The most important expectations are set out in the Venice Commission's 2015 evaluation and recommendations, to which the Hungarian government and the Parliament have not responded at all.
- To secure the independence of the national media regulator, a regulatory solution is needed to prevent members of the Media Council from being solely elected by the governing party. We also recommend that the Fundamental Rights Agency continuously monitor the practices of the Hungarian media authorities to identify biased decisions.



- Any refusal to provide public interest information should be subject to strict conditions.
- We ask independent media to work towards strengthening professional self-regulation and professional solidarity organisations.

## **Market Plurality**

- We recommend that national regulatory bodies receive greater authority to monitor cross-ownership concentration.
- The EU or the state should support independent media with grants and other funds in a fair and transparent manner.
- EU rules related to anti-competitive behaviour should consider the market-distorting effects of KESMA and other dominant government-aligned media owners.

## **Political Independence**

- Authorities should assess state advertising spending based on state aid rules. In order to prevent the misuse of state advertising, a supervisory body should function alongside recipient media outlets. This would monitor the use of funds and would make sure that with time the proportion of state funds doesn't make up the dominant share of a news outlet. The distribution of state advertising should take into account the audience share of each medium and the specificities of the audience it reaches. In all cases, the inclusion or exclusion of certain media from public campaigns must be duly justified. Public procurement in itself does not solve the transparency problem of state advertising.
- Political advertising on social media needs to be regulated in a clear and transparent way.
- We ask the government, ministries, and other state bodies to respect the editorial independence of newsrooms, including the PSM, and refrain from interfering with content production.
- The EU should consistently apply state aid law, both in relation to the financing of public service media and the allocation of state advertising.

## **Social Inclusiveness**

- Hate speech must be consistently tackled by the police, prosecutors, and the courts, even when the source is government communication.
- The government needs to stop the production and financing of disinformation - even if its spread furthers its short-term political goals.
- News media should work on empowering vulnerable and underrepresented groups of society, including women and national minorities.

- Local stakeholders should work on strengthening journalism education, as well as improve the quality and reach of media literacy activities (and foster the participation of journalists and newsrooms in such programmes).

## 5. References

### Experts interviewed for the MPM2023

- Zsuzsa Detrekői, TMT lawyer, former general counsel of a major Hungarian online content provider, fellow at CEU's CMDS and part-time academic.
- Zsófia Fülöp, Hungarian journalist and Journalism Fellow at the Reuters Institute for the Study of Journalism
- Eszter Katus, journalist, Atlatzo.hu
- Péter Krekó, social psychologist and political scientist, executive director of Political Capital
- Paulina Milewska, Media Expert and Lawyer, Researcher at the European University Institute
- Krisztina Nagy, legal expert, lecturer at the Technical University Budapest, Founder of the Idea Foundation
- Levente Nyakas, Head of the Institute for Media Studies at the National Media and Infocommunications Authority
- Emese Pásztor, Political Freedoms Project director, Hungarian Civil Liberties Union, HCLU / TASZ
- Dániel Szalay, journalist, founding Editor-in-Chief of Media1.hu
- Ferenc Vicsek, Vice President Magyar Újságírók Országos Szövetsége / National Association of Hungarian Journalists

### Laws, regulations, policies, and court rulings

Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content (En).

[https://nmhh.hu/dokumentum/162262/smtv\\_110803\\_en\\_final.pdf](https://nmhh.hu/dokumentum/162262/smtv_110803_en_final.pdf)

Act CLXXXV of 2010 on Media Services and on the Mass Media (En).

[https://nmhh.hu/dokumentum/106487/act\\_clxxx\\_on\\_media\\_services\\_and\\_mass\\_media.pdf](https://nmhh.hu/dokumentum/106487/act_clxxx_on_media_services_and_mass_media.pdf)

Fundamental Law of Hungary (En).

<https://www.parlament.hu/documents/125505/138409/Fundamental+law/73811993-c377-428d-9808-ee03d6fb8178>

Act XII of 2020 on the containment of coronavirus (En).

<https://berlin.mfa.gov.hu/assets/77/49/43/cc3672166e33b2cf015ce4371aeedf19417c2710.pdf>

Criminal Code, Act C of 2012 (En). [https://thb.kormany.hu/download/a/46/11000/Btk\\_EN.pdf](https://thb.kormany.hu/download/a/46/11000/Btk_EN.pdf)

The Civil Code, Act V of 2013 (En). [https://njt.hu/jogszabaly/en/2013-5-00-00#:~:text=\(1\)%20If%20the%20p%20erson%20whose,decision%20declaring%20the%20presumed%20death.](https://njt.hu/jogszabaly/en/2013-5-00-00#:~:text=(1)%20If%20the%20p%20erson%20whose,decision%20declaring%20the%20presumed%20death.)

Act LXXIX of 2021 Amending Certain Acts for the Protection of Children (Hun).

<https://mkogy.jogtar.hu/jogszabaly?docid=A2100079.TV>

Act CLXXXIX of 2011 on Local Governments (Hun).

<https://mkogy.jogtar.hu/jogszabaly?docid=a1100189.TV>

Act CLXXIX of 2011 on the rights of nationalities (En).

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2012\)014-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2012)014-e)

Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information (En).

[https://www.naih.hu/files/Privacy\\_Act-CXII-of-2011\\_EN\\_201310.pdf](https://www.naih.hu/files/Privacy_Act-CXII-of-2011_EN_201310.pdf)

Act XXIV of 2003 (in Hungarian). <https://mkogy.jogtar.hu/jogszabaly?docid=a0300024.TV>

Act XXXVI of 2013 (The Act on Election Procedures, Hun).

<https://net.jogtar.hu/jogszabaly?docid=a1300036.tv>

Code of Ethics of the Public Service Media (Hun), Közzolgálati Kódex. A magyar nemzeti közzolgálati médiaszolgáltatás alapdokumentuma.

[https://nmhh.hu/dokumentum/169246/kozzolgalmati\\_kodex\\_2016\\_januar\\_1\\_tol.pdf](https://nmhh.hu/dokumentum/169246/kozzolgalmati_kodex_2016_januar_1_tol.pdf)

National Curriculum - NAT (2012). [https://pszheves.hu/wp-content/uploads/2013/08/nat\\_20121.pdf](https://pszheves.hu/wp-content/uploads/2013/08/nat_20121.pdf)

National Curriculum - NAT (2020). In Magyar Közlöny.

<https://magyarkozlony.hu/dokumentumok/3288b6548a740b9c8daf918a399a0bed1985db0f/letoltes>

Mándli and Others v. Hungary - 63164/16 Judgment 26.5.2020.

[https://hudoc.echr.coe.int/fre#%22itemid%22:\[%22002-12828%22\]}](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22002-12828%22]})

Karácsony and Others v. Hungary - 42461/13, Judgment 16.9.2014.

[https://hudoc.echr.coe.int/fre#%22itemid%22:\[%22002-10038%22\]}](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22002-10038%22]})

Szél and Others v. Hungary - 44357/13, Judgment 16.9.2014.

[https://hudoc.echr.coe.int/fre#%22itemid%22:\[%22001-146385%22\]}](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22001-146385%22]})

Szabó and Vissy v. Hungary 37138/14

[https://hudoc.echr.coe.int/fre#%22itemid%22:\[%22001-160020%22\]}](https://hudoc.echr.coe.int/fre#%22itemid%22:[%22001-160020%22]})

#### Further literature

444.hu (2022, 27. March). Öt lecke a valóság felszámolásáról. *444.hu*.

<https://www.youtube.com/watch?v=EjnjqDVtU4ik>

About Hungary (2022, 14 July). Government outlines KATA tax system. *About Hungary*.

<https://abouthungary.hu/news-in-brief/government-outlines-kata-tax-system>

Article 19 (2011). *Hungary: ARTICLE 19 Calls for Comprehensive Media Law Reform*.

<https://www.refworld.org/pdfid/4d6f3b182.pdf>

Article 19 (2018). Hungary: Responding to 'hate speech'. *Article19.org*. [https://www.article19.org/wp-content/uploads/2018/03/Hungary\\_responding\\_to\\_HS.pdf](https://www.article19.org/wp-content/uploads/2018/03/Hungary_responding_to_HS.pdf)

ÁSZ (2022): Országgyűlési Választás 2022 - Elektronikus Sajtó Árjegyzék. *ASZ.hu*.

<https://www.asz.hu/hu/orszaggyulesi-valasztas-2022-elektronikus-sajto-arjegyzek>

ÁSZ (2020) ELEMZÉS. A választási kampányidőszakban, az egyes médiafelületeken megjelenő politikai hirdetések jogszabályi környezete. *Asz.hu*.

[https://www.asz.hu/storage/files/files/elemzesek/2020/politikai\\_hird\\_20200603.pdf](https://www.asz.hu/storage/files/files/elemzesek/2020/politikai_hird_20200603.pdf)

Átlátszó (2022, 18. Feb.). After the expiry of the two-year deadline, Hungary has still not started transposing the EU Whistleblower Protection Directive. *Atlatso.hu*. <https://english.atlatso.hu/2022/02/16/after-the-expiry-of-the-two-year-deadline-hungary-has-still-not-started-transposing-the-eu-whistleblower-protection-directive/>

Bajomi-Lázár, P. (2013). The Party Colonisation of the Media. The Case of Hungary. *East European Politics and Societies*, 27(01), 69-89.

Bajomi-Lázár, P. (2017). Between neutrality and engagement. Political journalism in Hungary. *Central European Journal of Communication*. 1, 46-61.

Bakró-Nagy, A. (2022a). Médiapolarizáció a gyakorlatban: békemenet vs. Ellenzéki nagygyűlés.

*Transzparens Újságírást Alapítvány*. <https://ojim.hu/mediapolarizacio-a-gyakorlatban-bekemenet-vs-ellenzeki-nagygyules/>

Bakró-Nagy, A. (2022b). Politikai határvonalak mentén polarizálódik a média a választásokhoz közeledve.

*Transzparens Újságírást Alapítvány*. <https://ojim.hu/politikai-hatarvonalak-menten-polarizalodik-a-media-a->

valasztásokhoz-kozeledve/

- Bálint, K. (2022). In the Midst of an Election, Hungarian State-Linked Media Pushes pro-Kremlin Narratives Surrounding the Invasion of Ukraine. *ISD Global*. [https://www.isdglobal.org/digital\\_dispatches/in-the-midst-of-an-election-hungarian-state-linked-media-pushes-pro-kremlin-narratives-surrounding-the-invasion-of-ukraine](https://www.isdglobal.org/digital_dispatches/in-the-midst-of-an-election-hungarian-state-linked-media-pushes-pro-kremlin-narratives-surrounding-the-invasion-of-ukraine)
- Bárd, P. (2021). A Nation (Un)Dignified: Árpád Tóta W., Medieval Migrants, the Hungarian Supreme Court, and Freedom of Expression. *Verfassungsblog.de*, <https://verfassungsblog.de/a-nation-undignified/>
- Bayer, L. (2022, 9. March). Hungary has become the EU home of Kremlin talking points. *Politico*. <https://www.politico.eu/article/russia-war-narrative-hungary-disinformation/>
- Bene, M., Petrekanics M. & Bene M. (2021). Ki mit költ? Politikai hirdetési aktivitás a Facebookon a 2019-es európai parlamenti és az önkormányzati választási kampányokban. *Médiakutató*, 22 (3-4). [https://mediakutato.hu/cikk/2021\\_03\\_osz\\_tel/06\\_ki\\_mit\\_kolt.pdf](https://mediakutato.hu/cikk/2021_03_osz_tel/06_ki_mit_kolt.pdf)
- Bleyer-Simon, K. (2021). Government repression disguised as anti-disinformation action: Digital journalists' perception of covid-19 policies in Hungary. *Journal of Digital Media & Policy*, 12(1), 159-176.
- Bleyer-Simon, K., Benedek, K. & Rácz, T. (forthcoming). Romani Ethnic Media in Hungary. In *The Oxford Research Encyclopedia of Communication*.
- Botás (2021, 11. February). „Bárcsak behaltál volna a szülésbe” – nő újságíróként a szexista támadásokkal is meg kell küzdeni. *Marie Claire*. <https://marieclaire.hu/riporter/2021/02/11/noi-ujsgajrok-szexista-zaklatas/>
- Brogi E. et al. (2019). *Assessing certain recent developments in the Hungarian media market through the prism of the Media Pluralism Monitor*. [https://cmpf.eui.eu/wp-content/uploads/2019/07/Report\\_KESMA\\_Hungary\\_A2.pdf](https://cmpf.eui.eu/wp-content/uploads/2019/07/Report_KESMA_Hungary_A2.pdf)
- Budai, B. (2023). Az algoritmus nem válogat – baloldali politikusokat és jobboldali médiumokat is cenzúráztak már a közösségi médiában. *OJIM*. <https://ojim.hu/az-algoritmus-nem-valogat-baloldali-politikusokat-es-jobboldali-mediumokat-is-cenzuraztak-mar-a-kozossegi-mediaban/>
- CANnual (2023). *CANnual Report 2022*. <https://wecan.net/cannual-report/>
- CoE (2021). *Country Memorandum on freedom of expression and media freedom in Hungary*. <https://rm.coe.int/memorandum-on-freedom-of-expression-and-media-freedom-in-hungary/1680a1e67e>
- Csatári, D. F. (2021, 4 March). Burkolt reklám miatt kapott 1,2 milliós büntetést a TV2. *Telex*. <https://telex.hu/kult/2021/03/04/tv2-nmhh-burkolt-reklam-birsag>
- Detrekői, Zs. (2020). How to Gag Journalism in Hungary: Use GDPR. *CEU CMDS*. <https://cmds.ceu.edu/article/2020-10-07/how-gag-journalism-hungary-use-gdpr>
- Diószegi-Horváth, N. (2022). Fake news figyelőt indított a közmédiá. De milyen? *Lakmusz.hu*. <https://www.lakmusz.hu/fake-news-figyelot-inditott-a-kozmedia-de-milyen/>
- DNR (2021). Digital News Report 2021. *Oxford Reuters Institute*. <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2021>
- DNR (Digital News Report - 2022). Digital News Report. *Reuters Institute*. [https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2022-06/Digital\\_News-Report\\_2022.pdf](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2022-06/Digital_News-Report_2022.pdf)
- Doros, J, Ungár, T. & Vas, A. (2019). Kitört a vidéki médiaháború. *Népszava*. [https://nepszava.hu/3059390\\_kitort-a-videki-mediahaboru](https://nepszava.hu/3059390_kitort-a-videki-mediahaboru)
- Dragomir, M. (2018). Control the money, control the media: How government uses funding to keep media in line. *Journalism*, 19(8), 1131–1148.
- EFJ (European Federation of Journalists, 2022, 15 May). Hungary: Fidesz Media Council moves to silence independent station Tilos Rádió. *EFJ*. <https://europeanjournalists.org/blog/2022/05/12/hungary-fidesz-media-council-moves-to-silence-independent-station-tilos-radio/>
- Erdélyi, K. & Szabó, K. (2023, 16. March). Government aligned media lost 29 press-correction lawsuits last

year at the Metropolitan Court of Budapest. *Atlatszo*. <https://english.atlatszo.hu/2023/03/16/government-aligned-media-lost-29-press-correction-lawsuits-last-year-at-the-metropolitan-court-of-budapest/>

ERGA (2020). *ERGA Report on disinformation: Assessment of the implementation of the Code of Practice*. <https://erga-online.eu/wp-content/uploads/2020/05/ERGA-2019-report-published-2020-LQ.pdf>

European Audiovisual Observatory (2019). The Independence of Media Regulatory Authorities in Europe. *COE.int*. <https://rm.coe.int/the-independence-of-media-regulatory-authorities-in-europe/168097e504>

European Commission (2023). *The European Commission decides to refer 8 Member States to the Court of Justice of the European Union over the protection of whistleblowers*. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_703](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_703)

Haraszti, M. (2011). Hungary's media law package. *Institut für die Wissenschaften vom Menschen*. <https://www.iwm.at/transit-online/hungarys-media-law-package/>.

Hargitai, H. (2021). Content and framing in radio news bulletins in urban and rural Hungary. *European Journal of Communication*, 36(2), 125–147.

Haszán, Z. (2021, 15. Oct.). Bebetonozás a négyzetben: Karas Monika lemondása nemcsak a médiahatóságnál, de az ÁSZ-nál is segít pozícióban tartani Orbán hatalmi gépezetét. *444.hu*. <https://444.hu/2021/10/15/bebetonozas-a-negyzetben-karas-monika-lemondasa-nemcsak-a-mediahatosagnal-de-az-asz-nal-is-segit-pozicioban-tartani-orban-hatalmi-gepezetet>

Haszán, Z. (2023, 15. Feb.). Minden eddigénél többet költenek Rogánék arra 2022-ben, hogy elmagyarázzák az embereknek, mi is a baj Brüsszellel. *444.hu*. <https://444.hu/2023/02/15/minden-eddiginel-tobbet-koltottek-roganek-arra-2022-ben-hogy-elmagyarazzak-az-embereknek-mi-is-a-baj-brusszellel>

Hirado.hu (2022). Fake News Figyelő. *Hirado.hu*. <https://hirado.hu/tema/fake-news-figyelo/>

Horn, G (2020, 25. May). Car honking protests cancelled due to astronomical fines handed out by Budapest police. *Atlatszo.hu*. <https://english.atlatszo.hu/2020/05/25/car-honking-protests-cancelled-due-to-astronomical-fines-handed-out-by-budapest-police/>

Horn, G. (2022, 7. Febr.). Mutatjuk, kik és hogyan csinálták az újságírókat lejárató interjúkat a Fidesz-kampányhoz. *Atlatszo.hu*. <https://atlatszo.hu/kozugy/2022/02/06/mutatjuk-kik-es-hogyan-csinaltak-az-ujsgagirokat-okat-lejarato-interjukat-a-fidesz-kampanyhoz/?fbclid=IwAR0HvukwVrE6f4gx4KWS3p619Ksx7sRI2ZLPB9LgX8FoXWHujYZSdG6Mfrg>

IFLA (2011). *The New Press and Media Act in Hungary*. <https://www.ifla.org/publications/the-new-press-and-media-act-in-hungary/>

IPI (International Press Institute, 2022, 12. May). Hungary: Fidesz Media Council moves to silence independent station Tilos Rádió. *IPI*. <https://ipi.media/hungary-fidesz-media-council-moves-to-silence-independent-station-tilos-radio/>

Kapronczay, S. (2022). Complaint to the EC. *Political Capital*. [https://www.politicalcapital.hu/pc-admin/source/documents/TASZ-PC\\_EC-complaint-PublicBroadcast\\_Russia\\_War.pdf](https://www.politicalcapital.hu/pc-admin/source/documents/TASZ-PC_EC-complaint-PublicBroadcast_Russia_War.pdf)

K-Monitor (2022). Bírósági párbaj lesz az adatperekből, pedig a legtöbb egyszerűen elkerülhető lenne. *K.Blog.hu*. [https://k.blog.hu/2022/10/26/birosagi\\_parbaj\\_lesz\\_az\\_adatperekbol?utm\\_medium=doz&utm\\_campaign=bloghu\\_cimlap&utm\\_source=nagyvilag](https://k.blog.hu/2022/10/26/birosagi_parbaj_lesz_az_adatperekbol?utm_medium=doz&utm_campaign=bloghu_cimlap&utm_source=nagyvilag)

K-Monitor (2023). Új bejelentővédelmi törvényjavaslat: a kormány a minimumot súrolja. Alulról. *K-Monitor*. [https://k.blog.hu/2023/03/17/uj\\_bejelentovedelmi\\_torvenyjavaslat\\_a\\_kormany\\_a\\_minimumot\\_surolja\\_alulrol](https://k.blog.hu/2023/03/17/uj_bejelentovedelmi_torvenyjavaslat_a_kormany_a_minimumot_surolja_alulrol)

Kafka Desk (2022, 15. July). Killing the small business: why Hungarian freelancers are angry. *Kafka Desk*. <https://kafkadesk.org/2022/07/15/killing-the-small-business-why-hungarian-freelancers-are-angry/>

Keller-Alánt, Á (2022). Vodafone: A magyarok kerestek meg minket, és jó árat ajánlottak. *Szabad Európa*. <https://www.szabadeuropa.hu/a/vodafone-verseny-4ig-magyar-allam/31999502.html>

Klubrádió (2019). Vidéki médiaháború: az MTVA-nak nem kell független hang. *Klubrádió*. <https://www.klubradio.hu/adasok/videki-mediahaboru-az-mtva-nak-nem-kell-fuggetlen-hang-110125>



Klubrádió (2022). Leléptek a járdáról egy kata-tüntetésen, 75-85 ezres bírságot kaptak. *Klubradio.hu*. <https://www.klubradio.hu/adasok/leleptek-a-jardarol-egy-kata-tuntetesen-75-85-ezres-birsagot-kaptak-128274>

Koncz, T. (2021). Telekommunikációs gigászt épít a NER. Add ide a Digit! *Magyar Narancs*. <https://magyarnarancs.hu/belpol/add-ide-a-digit-238197>

Kovács Ferenc (2021, 3. Nov.). Bíróshoz fordul Szabó Tímea a rekordbüntetése miatt. *Index.hu*. <https://index.hu/belfold/2021/11/03/szabo-timea-parlament-buntetes-kover-laszlo-strasbourgi-emberi-jogi-birosag/>

KSH (2023a). *Népszámlálás 2022*. <https://nepszamlalas2022.ksh.hu/>

KSH (2023b). *Hungary, 2022 Q3*. <http://ksh.hu/s/publications/hungary-2022-q3/hungary-2022-q3.pdf>

KSH (2022c). *Internethasználók aránya [a 16–74 éves népesség százalékában]*. [https://www.ksh.hu/stadat\\_files/ikt/hu/ikt0029.html](https://www.ksh.hu/stadat_files/ikt/hu/ikt0029.html)

Lampé, Á (2022, 21. Feb.) Koltay András: A média függetlensége egy önmaga által gyártott mítosz. *24.hu*. <https://24.hu/belfold/2022/02/21/koltay-andras-nmhh-elnok-mediatanacs-interju/>

Láncos, P. L. (2019). Freedom of Information in Hungary: A Shifting Landscape. In: Dragos, D.C., Kovač, P., Marseille, A.T. (eds). *The Laws of Transparency in Action. Governance and Public Management*. Palgrave Macmillan, Cham

Lannert, J. & Hartai, L. (2021). Médiaműveltség az iskolában Médiaoktatás, digitális technika, pedagógusi módszertani kultúra egy hazai tanárkutatás eredményeinek tükrében. *Iskolakultúra*, 2021/7-8. [https://epa.oszk.hu/00000/00011/00246/pdf/EPA00011\\_iskolakultura\\_2021\\_07-08\\_003-027.pdf](https://epa.oszk.hu/00000/00011/00246/pdf/EPA00011_iskolakultura_2021_07-08_003-027.pdf)

MAPMF (Mapping Media Freedom, 2022a). *Government bypasses court order on journalists' hospital access*. <https://www.mapmf.org/alert/24589>

MAPMF (Mapping Media Freedom, 2022b). *Several independent news outlets denied entry to PM's press conference*. <https://www.mapmf.org/alert/25455>

MAPMF (Mapping Media Freedom, 2022c). *Extremist website suggests journalists at 444.hu could be beaten to death*. <https://www.mapmf.org/alert/25346>

MAPMF (Mapping Media Freedom, 2022d). *Hír TV reported pushed off platform while reporting live on protest in Budapest*. <https://www.mapmf.org/alert/25244>

MAPMF (Mapping Media Freedom, 2022e). *Far right politician discusses the hanging of journalist Boróka Parászka*. <https://www.mapmf.org/alert/25317>

MAPMF (Mapping Media Freedom, 2022f). *Journalist reporting on Pegasus spyware investigated for illegal data management*. <https://mappingmediafreedom.usahidi.io/posts/25061>

MAPMF (Mapping Media Freedom, 2022g). *Journalist reporting on Pegasus spyware investigated for illegal data management*. <https://mappingmediafreedom.usahidi.io/posts/25061>

MAPMF (Mapping Media Freedom, 2022h). *Questioning of 24.hu CEO sparks concerns over media ownership pressure*. <https://www.mapmf.org/alert/25319>

Magyar Helsinki Bizottság. 2021. Hazai és nemzetközi bírósági döntések végrehajtása Magyarországon. *Helsinki.hu*. [https://helsinki.hu/wp-content/uploads/2021/12/MHB\\_birosagi\\_dontesek\\_vegrehajtasa\\_2021.pdf](https://helsinki.hu/wp-content/uploads/2021/12/MHB_birosagi_dontesek_vegrehajtasa_2021.pdf)

Martini, N. (2021, 17. Feb.). What a lost licence for Hungary's independent Klubrádió means for press freedom. *The Calvert Journal*. <https://www.calvertjournal.com/articles/show/12533/klubradio-independent-radio-press-freedom-hungary>

Mérték Media Monitor (2019a). Centralised Media System – Soft Censorship 2018. *Mertek Booklets*, 18. <https://mertek.eu/wp-content/uploads/2020/01/MertekFuzetek18.pdf>;

Mérték Médiaelemző Műhely (2019b). A közérdekű adatigénylés elszabotálásának aktuális módjai, *Mertek.eu*. [https://mertek.eu/jogi\\_kerdesek/a-kozerdeku-adatigenyles-elszabotalasanak-aktualis-modjai/](https://mertek.eu/jogi_kerdesek/a-kozerdeku-adatigenyles-elszabotalasanak-aktualis-modjai/)

Mérték Media Monitor. 2021a. Four Shades of Censorship. State Intervention in the Central Eastern European Media Markets. *Mertek Booklets*, Vol 19. [Page 47](https://mertek.eu/wp-content/uploads/2021/10/Mertek-</a></p></div><div data-bbox=)

fuzetek\_19.pdf

Mérték Media Monitor. 2021b. Media Landscape After A Long Storm – The Hungarian media politics since 2010. *Mertek Booklets*, 25. <https://mertek.eu/wp-content/uploads/2021/12/MertekFuzetek25.pdf>

Mérték Médiaelemző Műhely (2021c): A frekvenciapályázatok háromnegyede a Fidesz érdekeit szolgálja. *Mertek*. <https://mertek.eu/2021/10/29/a-frekvenciapalyazatok-haromnegyede-a-fidesz-erdekeit-szolgalja/>  
Mérték (2021d). *State advertising spending – complaint update*.

<https://mertek.eu/wp-content/uploads/2021/03/State-advertising-Hungary.pdf>

Mérték Media Monitor (2021e). Four Shades of Censorship. Legal Guarantees And Practical Shortcomings Of Independence Of The Media Authorities in the Czech Republic, Hungary, Romania and Slovakia. *Mertek Booklets*, Vol. 21. [https://mertek.eu/wp-content/uploads/2021/12/Mertek-fuzetek\\_21.pdf](https://mertek.eu/wp-content/uploads/2021/12/Mertek-fuzetek_21.pdf)

MFRR (Media Freedom Rapid Response, 2021). Mapping Media Freedom. A Four-Month Snapshot - III. *International Press Institute*. [https://ipi.media/wp-content/uploads/2021/07/MFRR-Monitoring-Report\\_03.pdf](https://ipi.media/wp-content/uploads/2021/07/MFRR-Monitoring-Report_03.pdf)

Messing, V. & Bernáth, G. (2017). Disempowered by the media: causes and consequences of the lack of media voice of Roma communities. *Identities: Romaphobia and the Media*, 24:6, 650-667.

MN (2022, 6. January). Niedermüllerék tízmillió forinttal támogatták meg a Jelen című hetilapot. *Magyar Nemzet*. <https://magyarnemzet.hu/belfold/2022/01/niedermullerek-tizmillio-forinttal-tamogattak-meg-a-jelen-cimu-hetilapot>

MRSZ (Hungarian Advertising Association - 2023). *A Magyar Reklámszövetség bemutatja: A 2022-es média- és kommunikációs piac költségeit felmérő számaikat*.

[https://mrsz.hu/cmsfiles/30/3e/2022\\_MRSZ\\_media\\_komm\\_torta\\_hosszu\\_v7\\_FINAL\\_230326.pdf](https://mrsz.hu/cmsfiles/30/3e/2022_MRSZ_media_komm_torta_hosszu_v7_FINAL_230326.pdf)

MVGYOSZ (Hungarian Federation of the Blind and Partially Sighted - 2021). *Tévéműsorok audionarrációja – Jogszabály-módosítást kezdeményezünk*.

<https://www.mvgyosz.hu/hirek-hu/tevemusorok-audionarracioja-jogszabaly-modositast-kezdemenyezunk/>

MÚOSZ (2020, 26 Mar.). *A MÚOSZ a felhatalmazási törvénytervezetről: Aki a nyilvánosság és a sajtó ellen harcol, az nem a járványt akarja legyőzni*. <https://muosz.hu/2020/03/26/a-muosz-a-felhatalmazasi-torvenytervezetrol-aki-a-nyilvanossag-es-a-sajto-ellen-harcol-az-nem-a-jarvanyt-akarja-legyozni/>.

NAIH (2022a). *Findings of the investigation of the Nemzeti Adatvédelmi és Információs szabadság Hatóság (Hungarian National Authority for Data Protection and Freedom of Information) launched ex officio concerning the application of the “Pegasus” spyware in Hungary*.

<https://www.naih.hu/data-protection/data-protection-reports/file/492-findings-of-the-investigation-of-the-nemzeti-adatvedelmi-es-informacioszabadsag-hatosag-hungarian-national-authority-for-data-protection-and-freedom-of-information-launched-ex-officio-concerning-the-application-of-the-pegasus-spyware-in-hungary>

NAIH (2022b). *Tájékoztató az információs önrendelkezési jogról és az információszabadságról szóló 2011. évi CXII. törvény módosításáról*. <https://www.naih.hu/dontesek-informacioszabadsag-tajekoztatok-kozlemenyek/file/581-tajekoztato-az-informacios-onrendelkezesi-jogrol-es-az-informacioszabadsagrol-szolo-2011-evi-cxii-torveny-modositasarol>

Nagy, B. (2022a, 8. Oct.). Az Emberi Jogok Bíróságához fordul a DK, miután Kövér négymillióra büntette az egyik képviselőjüket. *Telex.hu*. <https://telex.hu/belfold/2022/10/08/dk-sebian-petrovszki-laszlo-emberi-jogok-europai-birosaga-buntetes-kover-laszlo>

Nagy, K. (2017). A pedagógusok médiaképe, sajtószabadsághoz való viszonya, valamint a médiaoktatás jelentősége és helye az oktatási rendszerben. *Mediakutató*, 18(3). 39-56.

[https://mediakutato.hu/cikk/2017\\_03\\_osz/03\\_a\\_pedagogusok\\_mediakepe.pdf#Médiaoktatás](https://mediakutato.hu/cikk/2017_03_osz/03_a_pedagogusok_mediakepe.pdf#Médiaoktatás)

Nagy, K. (2022b). Tengernyi kockázatot hordoz, ha nem foglalkoznak eleget a médiaműveltséggel az iskolában. *G7.hu*. <https://g7.hu/kozelet/20221005/tengernyi-kockazatot-hordoz-ha-nem-foglalkoznak-eleget-a-mediamuveltséggel-az-iskolaban/>

Nagy, K. (2023). Nyílt levelet írtunk az igazságügyi miniszternek és a frakcióknak: kívánjuk a sajtó szabadságát, az újságírók büntetőjogi szankcionálhatóságának eltörlését. *Transzparens Újságírást*

*Alapítvány*. <https://ojim.hu/nyilt-levelet-irtunk-az-igazsagugyi-miniszternek-es-a-frakcioknak-kivanjuk-a-sajto-szabadsagat-az-ujsgirok-buntetojogi-szankcionalhatosaganak-eltorleset/>

Német, Sz. (2022). A Russia Today propagandája háborítatlanul terjed a magyar kormánypárti és szélsőséges oldalakon. *Lakmusz.hu*. <https://www.lakmusz.hu/a-russia-today-propagandaja-haboritatlanul-terjed-a-magyar-kormanyparti-es-szelsoseges-oldalakon/>

NMHH (2021) Burkolt tévéreklámok miatt figyelmeztetett a Médiatanács. *NMHH*. [https://nmhh.hu/cikk/224535/Burkolt\\_teverekklamok\\_miatt\\_figyelmeztetett\\_a\\_Mediatanacs](https://nmhh.hu/cikk/224535/Burkolt_teverekklamok_miatt_figyelmeztetett_a_Mediatanacs)

NMHH (2022a). Magyarország biztosítja az orosz televíziók vételét beszüntető uniós döntés végrehajtását. *NMHH*. [https://nmhh.hu/cikk/227439/Magyarország\\_biztosítja\\_az\\_orosz\\_televizio\\_k\\_vetelet\\_beszunteto\\_unios\\_dontes\\_vegrehajtasat](https://nmhh.hu/cikk/227439/Magyarország_biztosítja_az_orosz_televizio_k_vetelet_beszunteto_unios_dontes_vegrehajtasat)

NMHH (2022b). *A Nemzeti Média és Hírközlési Hatóság Helyhez Kötött Piaci Jelentése*. [https://nmhh.hu/dokumentum/234021/helyhez\\_kotott\\_piaci\\_jelentes\\_2018\\_negyedek\\_2022\\_masodik\\_negyedev.pdf](https://nmhh.hu/dokumentum/234021/helyhez_kotott_piaci_jelentes_2018_negyedek_2022_masodik_negyedev.pdf)

NMHH (2022c). *A Nemzeti Média és Hírközlési Hatóság Mobilpiaci Jelentése*. [https://nmhh.hu/dokumentum/233271/mobilpiaci\\_jelentes\\_2022\\_első\\_felev.pdf](https://nmhh.hu/dokumentum/233271/mobilpiaci_jelentes_2022_első_felev.pdf)

NMHH (2022d). *Médiapiaci jelentés*. [https://nmhh.hu/dokumentum/234335/NMHH\\_mediapiaci\\_jelentes\\_2022.pdf](https://nmhh.hu/dokumentum/234335/NMHH_mediapiaci_jelentes_2022.pdf)

NMHH (2022e). *Internetes közönségmérési adatok (2022. III. negyedév)*. [https://nmhh.hu/cikk/232951/Internetes\\_kozonsegmeresi\\_adatok\\_2022\\_III\\_negyedev](https://nmhh.hu/cikk/232951/Internetes_kozonsegmeresi_adatok_2022_III_negyedev)

NMHH (2022f). A társadalmi sokszínűség a hírműsorokban (2021. Január 1. – 2021. December 31.). *NMHH*. [https://nmhh.hu/cikk/229355/Tarsadalmi\\_sokszinuseg\\_a\\_hirmusorokban\\_2021\\_január\\_1\\_december\\_31](https://nmhh.hu/cikk/229355/Tarsadalmi_sokszinuseg_a_hirmusorokban_2021_január_1_december_31)

NMHH (2022g). *A hallássérült nézők számára akadálymentesített műsorszámokkal kapcsolatos törvényi előírások ellenőrzése (2022. I. félév)*. [https://nmhh.hu/cikk/232602/A\\_hallasserult\\_nezok\\_szamara\\_akadalymentesitett\\_musorszamokkal\\_kapcsolatos\\_torvenyi\\_eloirasok\\_ellenorzese\\_2022\\_I\\_felev](https://nmhh.hu/cikk/232602/A_hallasserult_nezok_szamara_akadalymentesitett_musorszamokkal_kapcsolatos_torvenyi_eloirasok_ellenorzese_2022_I_felev)

NMHH (2023a). *Ellátottsági térkép*. <https://nmhh.hu/szakmai-erdekeltok/polgari-frekvenciagazdalkodas/musorszoras-lefedettsegi-terkepek>

NMHH (2023b). A társadalmi sokszínűség a hírműsorokban (2022. Január 1. – 2022. December 31.). *NMHH*. [https://nmhh.hu/cikk/236654/Tarsadalmi\\_sokszinuseg\\_a\\_hirmusorokban\\_2022\\_január\\_1\\_december\\_31](https://nmhh.hu/cikk/236654/Tarsadalmi_sokszinuseg_a_hirmusorokban_2022_január_1_december_31)

Odehnal, B. (2023). Peter Spuhlers Rolle in Orbans Propaganda-Maschinerie. *Tages Anzeiger*. <https://www.tagesanzeiger.ch/peter-spuhlers-rolle-in-orbans-propagandamaschinerie-415744566187>

Office of the Commissioner of Fundamental Rights (2016). *Report on Media Education in Hungary*. [https://www.ajbh.hu/documents/10180/2500969/Jelentes\\_a\\_mediaertés-oktatás\\_helyzetéről\\_497\\_2016/41838d72-616e-45bf-8b51-e744c4fa1b59?version=1.0](https://www.ajbh.hu/documents/10180/2500969/Jelentes_a_mediaertés-oktatás_helyzetéről_497_2016/41838d72-616e-45bf-8b51-e744c4fa1b59?version=1.0)

ODIHR (2022). *Election Observation Mission Final Report*. <https://www.osce.org/files/f/documents/2/6/523568.pdf>

OSCE (2011). *Despite adjustments, Hungary's media law continues to violate OSCE commitments, says OSCE representative on freedom of the media*. <https://www.osce.org/fom/75999>

Panyi, Sz. (2022). Cables show how Orbán's diplomats gather information on journalists. *Direkt 36*. <https://www.direkt36.hu/en/itt-vannak-a-taviratok-amelyeket-orban-diplomatai-kuldték-magyar-ujsgirok-utazasairol/>

Parlament.hu (2021). *A Nemzeti Média- és Hírközlési Hatóság 2022. évi egységes költségvetéséről*. <https://www.parlament.hu/irom41/17318/17318.pdf>

Pethő, A. (2022). Inside Viktor Orbán's war for Index, Hungary's most influential news website. *Direkt 36*.

<https://www.direkt36.hu/en/az-index-ostromanak-szinfalak-mogotti-tortenete/>

Polyák, G. (2015). Context, Rules and Praxis of the New Hungarian Media Laws: How Does the Media Law Affect the Structure and Functioning of Publicity? In Bogdandy & Sonnevend. *Constitutional Crisis in the European Constitutional Area. Theory, Law and Politics in Hungary and Romania*. Beck - Hart - Nomos: Berlin. 138 – 163.

Polyák, G. (2020, 17 June). Hungary's two pandemics: COVID-19 and attacks on media freedom. *European Centre for Press & Media Freedom Legal Opinion*. <https://www.ecpmf.eu/hungarys-two-pandemics-covid-19-and-attacks-on-media-freedom/>.

Polyák, G., Urbán, Á. & Szávai, P. (2022). Information Patterns and News Bubbles in Hungary. *Media and Communication*. 10:3 pp. 133-145. <https://doi.org/10.17645/mac.v10i3.5373>

Pongrácz, B. (2020, 12 July). Kiegyensúlyozottságot mutat az NMHH büntetési gyakorlata – A Transzparens Újságírást Alapítvány elemzése. *Transzparens Újságírást Alapítvány*. <https://ojim.hu/kiegyensulyozottsagot-mutat-az-nmhh-buntetesi-gyakorlatanak-elemzese/>

Presinszky, J. (2022, 9. Mar.). Az elmúlt négy évben összesen tizennyolcszor szerepelhetett ellenzéki képviselő köztévés műsorban. *Telex*. <https://telex.hu/valasztas-2022/2022/03/09/valasztas-2022-kozmedia-kampany-bemutatkozas-ellenzek>

Presinszky, J. (2023, 27 Apr.). Kormányközeli alapítvány javasolta a Fidesznek, hogy a rágalmozó, becsületsértő cikkekért ne járhasson börtön. *Telex*. <https://telex.hu/belfold/2023/04/27/kocsis-mate-halasz-janos-btk-modositas-ragalmazas-becsuletsertes-sajto>

Rajnai, R. (2020). Mozgóképkultúra- és médiaismeret az új NAT-ban. *European Journalism Observatory*. <https://hu.ejo-online.eu/mediaoktatas/mozgokepkultura-es-mediaismeret-az-uj-nat-ban>

RSF (2019). *Hungary: RSF decries anti-Semitic attacks against two Hungarian website reporters*. <https://rsf.org/en/hungary-rsf-decries-anti-semitic-attacks-against-two-hungarian-website-reporters>  
Scoresgroup (2022). *Rádió hallgatottság*.

[https://www.scoresgroup.hu/application/files/4916/5752/4809/Radiohallgatottsag\\_2022\\_05.pdf](https://www.scoresgroup.hu/application/files/4916/5752/4809/Radiohallgatottsag_2022_05.pdf)

Sereg, András (2022, 27 January). Az Alkotmánybíróság elutasította a dudálós tüntetők panaszait. *Index.hu*. <https://index.hu/belfold/2022/01/27/az-alkotmanybirosag-elutasította-a-dudalos-tuntetok-panaszait/>

Sipos, B. (2013). Bias, partisanship, journalistic norms and ethical problems in the contemporary Hungarian political media. *Central European Journal of Communication*, 6(10), 89-104.

Smuk, P. (2019). A parlamenti tudósítások alkotmányos keretei és egyes közép-európai esetei. *In Medias Res*, 2019/1. <https://media-tudomany.hu/archivum/a-parlament-tudositasok-alkotmanyos-keretei-es-egy-kozep-europai-esetei/>

Spike, J. (2020a, 12. May). He criticized the government on Facebook, and was taken from his home by police at dawn. *444.hu*. <https://insighthungary.444.hu/2020/05/12/he-criticized-the-government-on-facebook-and-was-taken-from-his-home-by-police-at-dawn>.

Spike, J. (2020b, 14. May). Second person in 24 hours arrested for “fearmongering” after sharing a Facebook post. *444.hu*. <https://insighthungary.444.hu/2020/05/14/second-person-in-24-hours-arrested-for-fearmongering-after-sharing-a-facebook-post>.

Statista (2021). *Share of TikTok users in Hungary in 2021, by generation*.

<https://www.statista.com/statistics/1263422/hungary-share-of-tiktok-users-by-generation/>

Statista (2022a). *Internet penetration rate in Hungary from 2010 to 2022*.

<https://www.statista.com/statistics/1123184/hungary-internet-penetration-rate/>

Statista (2022b). *Social media usage in Hungary - statistics & facts*.

<https://www.statista.com/topics/6592/social-media-usage-in-hungary/#editorsPicks>

Szabó, M. (2021). Magyarországon a jogsértő megfigyelés is törvényes. *444*.

<https://ataszjelenti.444.hu/2021/07/19/magyarorszagon-a-jogserto-megfigyeles-is-torvenyes>



Szalay, D. (2019). Újabb 9 évig totális Fidesz-uralom lesz a Médiatanácsban. *Media1.hu*.  
<https://media1.hu/2019/12/02/mediatanacs-megint-fidesz-uralom-ime-a-jeloltek/>

Szebeni, Z. (2022). Hungarian parliamentary elections in the shadow of disinformation. *New Eastern Europe*. <https://neweasterneurope.eu/2022/03/31/hungarian-parliamentary-elections-in-the-shadow-of-disinformation/>

Szicherle & Molnár (2022). The Russia-Ukraine War in Social Media. Inauthentic online behavior in the V4 concerning Russia's war against Ukraine. *Political Capital*. [https://www.politicalcapital.hu/pc-admin/source/documents/pc\\_v4\\_social\\_media\\_war\\_ukraine\\_20220505.pdf](https://www.politicalcapital.hu/pc-admin/source/documents/pc_v4_social_media_war_ukraine_20220505.pdf)

Szikora, T. (2021). A közösségi oldalak algoritmusának véleménybefolyásoló ereje. *In Medias Res*, 2021/1. <https://media-tudomany.hu/archivum/a-kozossegi-oldalak-algoritmusanak-velemenybefolyasolo-ereje/>

TASZ (Társaság a Szabadságjogokért, 2020, 15. Apr.). Így akadályozza az állam a koronavírusjárványról tájékoztató újságírókat. *TASZ*. [https://tasz.hu/a/files/koronavirus\\_sajto\\_kutatas.pdf](https://tasz.hu/a/files/koronavirus_sajto_kutatas.pdf)

TASZ (2022). ÁLLÁSPONTUNK az információs szabadság szabályozásának 2022. Őszi magyarországi módosításáról. *TASZ*. <https://tasz.hu/allaspontunk-az-informacioszabadsag-szabalyozasanak-2022-oszi-modositasarol>.

TBD & Herczeg, M. (2022, 6. Apr.). A kormányoldal a kampány utolsó hetében 470 milliót hirdetett el a Facebookon. *444.hu*. <https://444.hu/2022/04/06/a-kormanyoldal-a-kampany-utolso-heteben-470-milliot-hirdetett-el-a-facebookon>

Tófalvy, T. (2017). Online Harassment of Journalists in Hungary Forms, Coping Mechanisms and Consequences for Press Freedom. *International Press Institute*. [http://ipi.media/wp-content/uploads/2017/03/006\\_Hungary\\_Report\\_Online\\_2017.pdf](http://ipi.media/wp-content/uploads/2017/03/006_Hungary_Report_Online_2017.pdf)

Tóth, Á. & Vékás, J. (2014). National and Ethnic Minorities in Hungary in the Period 2001–2011 – Ethno-Demographic Trends as Reflected in the Census Data. *KSH*.  
[https://www.ksh.hu/statszemle\\_archive/2014/2014\\_K17/2014\\_K17\\_095.pdf](https://www.ksh.hu/statszemle_archive/2014/2014_K17/2014_K17_095.pdf)

Ügyészség (2022). *Nem történt jogosulatlan megfigyelés az un. Pegasus ügyben - a Központi Nyomozó Főügyészség sajtóközleménye*. <http://ugyeszseg.hu/nem-tortent-jogosulatlan-megfigyeles-az-un-pegasus-ugyben-a-kozponti-nyomozo-fougyeszseg-sajtokozlemenye/>

Vásárhelyi, M. (2012). Journalism in Hungary. In D. H. Weaver & L. Willnat, *The Global Journalist in the 21st Century* (pp. 244-251). Routledge.

Venice Commission (2015). *Opinion on media legislation (act CLXXXV on media services and on the mass media, act CIV on the freedom of the press, and the legislation on taxation of advertisement revenues of mass media) of Hungary*. Venice Commission.  
[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)015-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)015-e)

Wirth, Zs. (2022a, 4 March): Leaked documents show how Orbán's circle dictates the news at Hungary's state news agency. *Direkt 36*.  
<https://www.direkt36.hu/en/kiszivargott-iratok-mutatjak-hogyan-diktalnak-orbanek-a-nemzeti-hirugynoksegnek/>

Wirth, Zs. (2022b, 7 March): "Please, don't report about this at all! Thanks!" – How the Hungarian state news agency censors politically unpleasant news. *Direkt 36*.  
<https://www.direkt36.hu/en/ne-ird-meg-semmilyen-formaban-koszi-igy-hallgatja-el-a-kormany-nak-kinos-hireket-az-allami-hirugynokseg/>

Zöldi, B. (2022): Homegrown, State-Sponsored, Systemic: The Hungarian Disinformation Space During the Russian Invasion of Ukraine. *Lakmusz.hu*. <https://www.lakmusz.hu/homegrown-state-sponsored-systemic-the-hungarian-disinformation-space-during-the-russian-invasion-of-ukraine/>

## ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Konrad</i>	<i>Bleyer-Simon</i>	<i>Research Associate</i>	<i>European University Institute</i>	X
<i>Gabor</i>	<i>Polyak</i>	<i>Professor, Head of Department of Media and Communication</i>	<i>Eötvös Loránd University</i>	
<i>Agnes</i>	<i>Urban</i>	<i>Associate professor and chair of the Infocommunications Department</i>	<i>Corvinus University of Budapest</i>	

## ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
<i>Krisztina</i>	<i>Rozgonyi</i>	<i>Associate professor</i>	<i>University of Vienna, Media Governance and Media Industries Research Lab</i>
<i>Péter</i>	<i>Bajomi-Lázár</i>	<i>habil associate professor</i>	<i>no affiliation - lecturer at Eötvös Loránd Science University - Media Department</i>
<i>Levente</i>	<i>Nyakas</i>	<i>Head of Institute</i>	<i>Institute for Media Studies at National Media and Infocommunications Authority</i>
<i>Gabor</i>	<i>Kardos</i>	<i>Board Member</i>	<i>Magyar Lapkiadók Egyesülete</i>
<i>Ferenc</i>	<i>Kéry</i>	<i>President</i>	<i>Magyar Kommunikációs Szövetség / Hungarian Communications Association</i>
<i>Bea</i>	<i>Bodrogi</i>	<i>Legal Expert, Human Rights Lawyer</i>	



**Research Project Report**

Issue -

June 2023

doi:10.2870/703335

ISBN:978-92-9466-442-6

QM-04-23-653-EN-N



Publications Office  
of the European Union

